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EXTRACTS FROM CORRESPONDENCE

RELATIVE TO THE

TURCO-PERSIAN BOUNDARY NEGOTIATIONS.

PART II.

7 ع

1844-1845.

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TURCO-PERSIAN BOUNDARY NEGOTIATIONS.

PART II.

1844-1845.

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Extracts from Correspondence relative to the Turco-Persian Boundary Negotiations, 1844-1845.

No. 1.

Colonel Sheil, Her Majesty's Minister at Tehran, to the Earl of Aberdeen.

(No. 15.)

My Lord, *Tehran, February 3, 1844.*

I HAVE the honour to enclose, for your Lordship's information, a memorandum regarding Mohammerah, which I have received from Major Rawlinson, whom I had requested to make some researches regarding that town. I think this document will be of considerable value in elucidating the conflicting claims to its possession.

According to Major Rawlinson's enquiries, previously to 1680 it is assumed the Chaabis were subjects of Turkey; about that time they migrated from the west of the Karun and fixed themselves on the eastern bank of the eastern branch of that river, from whence they appear to have expelled the Persian tribe of Afshar, who were in possession of those lands.

Up to the year 1740 they seem to have been considered dependent on Bussorah. But about the year 1745 the main body of the Chaabis, under their famous leader Sheikh Salman, established themselves at Durak (now Fellahieh), from whence they drove out the tribe of Afshar; while others settled along the Haffar and the borders of the Shatt-el-Arab. Sheikh Salman made himself virtually independent, and partly by bribery, partly by intimidation, he obtained from the Governors of Bagdad and Bussorah possession of a tract of country north of the Haffar, and along the course of the Shatt-el-Arab, comprising the districts of Mohammerah, Haffar, and Tamar.

This account would seem to be conclusive of the right of Persia to the tribe of Chaab: 160 years ago they settled at Goban, where the Afshars were established; but besides this Enveri Effendi at the eighth conference admitted that the Karun is the boundary of the two countries, and as Goban is on the eastern bank of the western branch of that river it ought to be counted in Persia. But if this be denied, the tribe has at all events been 100 years established in Persia, for no one denies that Durak is part of the Persian territory, and when they first fixed themselves at Durak they for some time paid the Vali of Hawizah the same amount of revenue which had been levied from the Afshars. This, too, tends to confirm the right of Persia to Hawizah, to which Turkey makes some pretensions.

Sheikh Ghais, the fourth in descent from Sheikh Salman, built the two forts on the Haffar, which now form Mohammerah, in 1812, one fort being on the northern bank and the other on the southern, which is the island of Abadan or Mesene, according to the map of Sir John Macdonald.*

Sheikh Thamir, now at Erzeroum, has identified himself with Bussorah, more than the previous chiefs, without, however, admitting its authority in any essential point, and he has paid rent for the lands on the Shatt-el-Arab held by the tribe.

The first direct exercise of power in modern times by Turkey over the Chaab was in 1837, when the Pasha of Bagdad attacked and destroyed Mohammerah, and made a demonstration against Durak (now Fellahieh).

From the commencement of the reign of Agha Mahomed Khan, the predecessor of Futteh Ali Shah, tribute or revenue has been paid, more or less, by Chaab to Persia.

Major Rawlinson's memorandum proceeds to discuss whether the territory at the embouchures of the Shatt-el-Arab and Karun belong to the waters of the former or latter river. The point is argued with some intricacy, but it seems tolerably certain that for 600 years the Bamishere and Haffar have been the western branch of the

* Sir John Macdonald Kinneir.

Karun, as it is at this moment, and was thirty years ago, according to the examination of Sir John Macdonald, who in his "Geographical Work on Persia," pp. 87 and 292, asserts the Bamishere to be the main branch of the Karun. This is a question of importance to Persia, for if the Karun be the boundary, though Persia denies the correctness of this limited demarcation, not only will Goban form a portion of the Persian territory, but Mohammerah, as being watered by the Karun, would be included in the dominions of the Shah; and at all events that portion of the town which is situated on the southern or left bank of the Haffar would seem to be indisputably belonging to the Persian territory.

The chief part of the remainder of Major Rawlinson's memorandum is occupied by an argumentative disquisition, which would probably not be made clearer by curtailment.

I have, &c.
JUSTIN SHEIL.

Enclosure in No. 1.

*Memorandum by Major Rawlinson on the subject of Mohammerah and the Chaab Tribe.**

THERE appear to be two separate questions involved in the dispute now pending between the Governments of Persia and Turkey on the subject of Mohammerah. The one is the dependency of the tribe of Chaab, the other the right of territory to certain lands upon which portions of the tribe have settled.

Dependency of the Tribe of Chaab.

In discussing the question of the dependency of the Chaab, it will not be necessary to follow throughout with any sustained minuteness the history and movements of the tribe. The events which afford arguments to support the claims of either Government to their allegiance alone require to be particularised. A skeleton outline connecting these events together will suffice for the remainder of their history.

Early History of the Tribe.

Originally Turkish Subjects.

It is not questioned, then, by Persia, but that at the period of the conclusion of the treaty between Sultan Murad and Shah Sefi† the Chaab were *bonâ fide* subjects of the Turkish Government, for they are known at that time, and long subsequently, to have dwelt in the marshes at the confluence of the Tigris and Euphrates, and like all the neighbouring Arab tribes, to have paid to the Government of Bussorah a tribute named the "Meer-i-Kalameyah" for the right of pasturing their buffaloes upon Turkish lands.

Migration to Goban.

The question of dependency becomes first open to dispute when, about the year A.D. 1680, the Chaab, owing to a season of unusual drought, deserted the marshes of Waisit, and migrated to the southward, fixing their abodes in the tract of country which at that time formed the delta *of the Karun*. It is contended by Persia that, as the lands which the Chaab now occupied were situated within the territorial limits of Khuzistan, the tribe must be held, in virtue of their immigration, to have transferred their allegiance to the Persian Crown. Turkey, on the contrary, affirms that neither were the lands upon which the tribe settled within the Persian territory, nor, supposing this point to be conceded, could the

* The marginal notes were made at Tehran before the Memorandum was transmitted to the Foreign Office.
† A.D. 1639.

Chaab have suddenly denationalised themselves by merely crossing the frontier. She further shows that practically the dependency of the tribe upon Bussorah remained after the immigration precisely the same as before that event; for the same amount of "Meer-i-Kalameyah" was paid by the Chaab to the Turkish Government for *pasturage* on the banks of the Goban, as had been exacted for their old lands in the Waisit marshes; and the annual dress of investiture from Bussorah was continued to the Sheikh without any reference to his change of residence.

Continued dependence upon Turkey.

Putting aside for the present the question of territorial right to the lands upon which the Chaab settled, it is clear to me that on their first immigration to the district of Goban, and for 50 or 60 years afterwards, the tribe were regarded as Turkish subjects. Their numbers were too small and their country too poor to attract much attention; but in those essential points which are considered by the Arabs to prove dependency, the payment of the "Meer-i-Kalameyah" and the annual receipt of a robe of office, it is certain that the Sheikh of Chaab, as late *as the year* A.D. 1740, continued as was to be expected a dependent of the Government of Bussorah.

The only connection, indeed, of the tribe with Persia up to this time was that *they made certain annual presents of horses, butter, etc., etc., to the Afshar chief of Durak,* on account of fees for pasturage on the immediate banks of the Goban branch of the Karun*; the lands in that quarter having been previous to their immigration *in possession of offsets of the Afshar* tribe, who, as the Chaab advanced, fell back and rejoined their brethren on the Jerrahi.

[NOTE.—The italics throughout this Memorandum are Colonel Sheil's.]

* The Afshars are a Persian-Turkish tribe.

Cross into the Persian Territory.

Between the years 1740 and 1750 further changes took place in the location of the Chaab, involving, to a certain extent, their political dependency. Hitherto the sheikh had resided in the town of Goban, *situated on the left bank of the eastern branch of the Karun*,† and the chief strength of the tribe was concentrated in that vicinity; but about the year 1745 the course of the Goban River became obstructed; the Karun poured its waters through the Bamishere and Haffar channels, and the lands along the old or eastern bed of the river were thrown almost entirely out of cultivation. It thus became necessary for the

† Consequently in Persia if, as Enveri Effendi asserts, the Karun is the boundary between the two Empires.

It would be inferred from this observation that the Bamishere was not previously a branch of the Karun, which is far from being proved or being likely.

tribe to seek new habitations, and while detached parties accordingly settled along the Haffar and on the borders of the Shatt-el-Arab, employed as fellahs by the Turkish proprietors of the lands, the main body of the Chaab, under their famous leader Sheikh Salman, crossed over from the Goban to the Jerrahi River, dispossessed *the Afshars of the town of Durak and its dependent territory and obtained a permanent footing in a country to which the right of Persia was unquestioned*.

Condition of the Tribe under Sheikh Salman virtually independent.

The political condition of the Chaab now underwent a rapid and remarkable change.

They had always enjoyed an element of strength in their common attachment to the person of their hereditary chief, and as they had also, during their residence in Goban, increased greatly in numbers, it only required that the individual at their head should be possessed of skill and vigour sufficient to profit by the direction of their combined energies, to ensure their elevation from the condition of unknown buffalo feeders into something like a real substantive power. Sheikh Salman was admirably fitted to the purpose. Endowed with every quality becoming his high station, he availed himself to the utmost of the attachment of his followers, both to aggrandise himself and to promote their prosperity, and after a long life and an exposure to many vicissitudes, he may be said to have ultimately succeeded in procuring for his tribe the virtual enjoyment of independence. It was one of his earliest cares, after consolidating the power of the Chaab upon the Jerrahi, to re-establish his ancestral capital of Goban, and for this purpose he threw a dam across the Karun at the point of its bifurcation and thus forcing a part of the water into the old channel restored fertility to the deserted lands. At the same time he pursued on all sides a systematic course of territorial encroachment. His acquisitions from Persia extended eastward to the Hindian River, and northward along the Karun to the vicinity of Bend-i-Kir, while from the Governments of Bagdad and Bussorah, partly by intimidation and partly by bribery, he obtained for his tribe possession of the Island of Abadan, of the territory of Dowasir on the right bank of the Shatt-el-Arab, and also of a tract of country north of the Haffar Canal and along the course of the

Mohammerah has consequently been in the possession of the tribe of Chaab seventy or eighty years.

Shatt-el-Arab, comprising the districts of Mohammerah, Haffar, and Tamar.

Persia and Turkey fail in attempts to reduce them.

It is not to be supposed that this creation of a formidable and almost independent Power on the shores of the Persian Gulf was viewed with indifference by either Persia or Turkey. Various attempts were made by either Government to reduce Sheikh Salman to obedience; but as their mutual jealousies prevented them from acting in concert, their success was of a very partial nature. Kerim Khan* in A.D. 1757 failed entirely in an attempt to penetrate to Goban, and in 1765 he only so far succeeded as temporarily to overrun the country. He never received homage from Sheikh Salman, and after his withdrawal the Chaab resumed possession of the lands entirely regardless of his authority. Turkey, on the other hand, during the plenitude of Sheikh Salman's power, would have been glad without a contest to have waived her claim to supremacy over the Chaab; but she was obliged, in order to preserve the independence of Bussorah, to attempt the recovery from her rebellious subjects of the districts which they had seized on the right bank of the Shatt-el-Arab. An action took place accordingly in the latter end of the year 1765 between the Chaab and Turkish fleets off the mouth of the Haffar Canal. Fortune again favoured Sheikh Salman, and although the hostilities on this occasion had in their origin an exclusive reference to the attempted expulsion of the Chaab *from Dowasir*,† the *emancipation of the tribe from any further political dependency upon Bussorah may be regarded as the actual and legitimate issue of the contest.*

* King of Persia.

† On the right bank of the Shatt-el-Arab.

Founding of Fellahieh in the Persian Territory.

Another circumstance which at this time tended to complete the withdrawal of the Chaab from the control of Turkey, was the removal of the residence of the Sheikh from the Goban to the Jerrahi. It occurred in the following manner. Kerim Khan, to weaken and distress his adversary, had destroyed the famous dam which divided the waters of the Karun; and the channel of the Goban had thus a second time become almost dry. When Sheikh Salman accordingly returned after the withdrawal of the Persians and found his capital in ruins, and the lands around it deprived of the means of irrigation, he had to make his election between again undergoing the labour and expense of constructing a dam, subject at any moment to destruction by an

enemy possessed of superior forces in the field, or permanently fixing his residence in a more favourable situation where the water should be his protection rather than his ruin. He adopted the latter course, and founded Fellahieh.

Opening of Political Connection with Persia.

The founding of Fellahieh being one of the great epochs in Chaab history, it may be interesting to observe the general political appearance which the tribe exhibited at that period. About four-fifths of the *extent of country occupied by the Chaab was unquestionably Persian territory*, and the liability of the tribe to pay the Persian Crown the revenues of these lands, if that Power were in a condition to assert its rights, does not appear ever to have been questioned. When the Chaab, indeed, first came in contact with the Persian Afshars, and dispossessed them of their lands on the Jerrahi, Sheikh Salman for a short time continued to pay to the Vali of Hawizah* the same amount of revenue which had been realised from the former occupants. Kerim Khan's first invasion also was undertaken in consequence of the stoppage of this *payment of revenue*, and the sheikh actually disbursed a considerable sum to him on his withdrawal. The second Persian invasion was, perhaps, rather a campaign undertaken for the reduction of a rebellious province than a mere expedition to levy tribute; but the negotiations which were carried on between Sheikh Salman and the Persian Monarch during the progress of hostilities had a general reference to *the amount of assessment* for Malyat *to be imposed upon the tribe*. It was never contended, in fact, but that the Chaab were liable to the Persian Crown for the rent of the lands which they cultivated on the Jerrahi, the Hindian, and the upper part of the course of the Karun, and I infer from the increased connection which is observable between the Persian Government and the Chaab, subsequently to the foundation of Fellahieh, that the distinction between this liability for the payment of rent, as tenants of the soil, and of a fixed tribute as subjects was gradually lost sight of, and that the Chaab residing for the most part in the Persian territory, governed by a chief whose capital of Fellahieh was within the well-established frontier of the province of Fars, and subjected almost yearly to demands for revenue from the Persian Crown, came to be regarded as Turkish colonists who had immigrated to the

* Consequently Hawizah was in the possession of Persia at that time, as it now is (*i.e.*, in 1844).

Persian territory, and by a continued residence of many years had naturalised themselves as Persian subjects.

Turkey maintains her Claim.

The arguments of the Turkish Government in favour of its uninterrupted claim to the allegiance of the Chaab are simply these: that it had never made any formal renunciation of its rights; that the Chaab, notwithstanding the removal of the seat of government to Fellahieh, continued to hold lands upon the Haffar and Shatt-el-Arab subject to Bussorah, and even to pay the revenue of these lands to the governors of that city; that the "Meer-i-Kalameyah," formerly payable by the tribe, was merely withheld because the district of Goban, to which it particularly referred, had become desert; and that a robe of office was frequently also furnished to the Sheikh of Chaab long after his settlement on the Jerrahi, in accordance with the old fashion of annual investiture.

To me, I confess, it appears that at the time of Sheikh Salman's decease, and ever since, the Chaab have been virtually independent of Bussorah, and that the notion of the indefeasibility of their allegiance to Turkey is an invention of late years, brought forward as a counterpoise to the claims of Persia upon Mohammerah. A rapid sketch of the relations between Chaab and Bussorah during the last century will at the same time be necessary to support this view of the independence of the tribe.

Relations between Turkey and the Chaab during the Last (*i.e.*, 18th) Century—

There has never been, then, any question in the country but that the lands watered by the Shatt-el-Arab through its entire course are dependent upon Bussorah. One unbroken chain of evidence may be brought to prove this from the time of the building of Bussorah to the present day. When the Chaab accordingly interfered with these lands, they either acted as conquerors in open defiance of all rights, or they obtained patents from the Government granting them a farm of the property, subject to the public liabilities; or, where the lands were exempt from taxation in virtue of free grants to individuals from the Sublime Porte, they dealt directly with the proprietors, sometimes acting as tenants, and receiving the regulated share of produce (one-fourth for the labour of cultivation); sometimes buying the freehold right to the property, but more usually taking forcible

—Indicative of anything but Dependence.

possession without any respect to the previous tenures. None of the various relations, however, which the Chaab thus bore to the Bussorah Government, as occupants of the banks of the Shatt-el-Arab, appear to me to indicate their national dependency. On the contrary, as they have continued almost uninterruptedly to pay to the Government of Bussorah the rent of the lands of Haffar and Tamar *above* Mohammerah, which they obtained by a grant from Suleiman Pasha, of Bagdad; while they have long *ceased all other payments*, the presumption is that they have considered themselves liable for these lands only, and that they must have thus regarded themselves in the light of foreigners holding Turkish property, either in farm or by right of occupancy.

The relation, indeed, which Chaab has borne to Bussorah since the death of Sheikh Salman to times comparatively modern, so far, it appears to me, from being one of protection and dependency, has been marked by open and almost constant hostility.

Acts of Violence and Hostility on the part of the Chaab.

Sheikh Berket, the nephew and successor of the great chief, seized from the Turkish proprietors the extensive and fertile district of Boojidee, between Tamar and Haffar, and bestowed it upon the Bawi Arabs, into which tribe he had married.

His son, Ghadban, took possession of the entire left bank of the Shatt-el-Arab as far up as Girdelan, and even colonised with the Chaab the right bank of the river, from the sea to within 10 miles of Bussorah. He might have taken possession of the town of Bussorah itself, but he dreaded the too great extension of his territory, and eventually he deemed it his safer policy to withdraw altogether from the right bank of the Shatt-el-Arab and to concentrate his forces between the Shatt and the Jerrahi.

Sheikh Ghais, the son of Ghadban, who succeeded to the chiefship on the death of his uncle, Sheikh Mahomed, the brother of that chief, restored the ancient limits of the Chaab territory, as established by Sheikh Salman, retaining possession of nothing higher up the Shatt-el-Arab than the district of Tamar; but he was influenced in this withdrawal rather by a disinclination to come into collision with the growing power of the Muntefik tribe, and by the necessity of preparation against Persia, than by any respect for the rights or deference to the

wishes of the Turkish Government. At the same time, or shortly afterwards, he built a fort upon either side of the Haffar Canal, with the view, as it is stated, of protecting his frontier against the Muntefik; and he entrusted the defence of the post to his confidential servant Mirdow. It was a place of no consequence at first, but under the rule of Haji Jabir, the son of Mirdow, its favourable situation attracted commerce, and it rapidly rose into eminence as the mercantile town of Mohammerah.

Sheikh Thamir alone shows a disposition to court Protection.

Sheikh Thamir, the younger brother and successor of Sheikh Ghais, has cultivated during the last thirty years a more friendly connection with the Turkish Government than any of his predecessors, for he appears to have been fully sensible of the advantage of an uncertain dependency in deterring Persia from attempting to increase the extent or to systematise the character of her interference in the affairs of the Chaab tribe. *Without accordingly in any essential point admitting* the authority of Bussorah, he has frequently made presents of money and horses to the Turkish governor, independently of the rent of the lands on *the Shatt-el-Arab*, and he has been gratified to receive occasionally from the *Mosselim* a "khelaut," or dress of honour. The first direct exercise of the power of Turkey in the affairs of the Chaab, however, in modern times was the attack on Mohammerah by Ali Pasha in A.D. 1837 and his subsequent appointment of Sheikh Abdul Rezak to the Government of the tribe in the place of Sheikh Thamir. To justify this measure the old assertion of the right of Turkey to the allegiance of the Chaab has been revived, and it remains a *questio vexata* to the present day.

Comparison with the above of the Connection during the same period of Chaab with Persia.

But if the Chaab have thus become virtually independent of Turkey, it may be inferred that they must to the same extent have become virtually dependent upon Persia, and it is necessary therefore, for the verification of this point, that the preceding sketch of their relations with Turkey since the death of Sheikh Salman should be compared with the nature and progress of the connection of the tribe during the same period with Persia.

Kerim Khan then withdrew his forces without coming to any definite arrangement with the Chaab sheikh regarding the liabilities of the tribe; and during the wars between the

A Pecuniary Liability attaches to the Tribe, but undefined in its Nature and Extent.

Zend and Kajar dynasties, which broke out shortly after the establishment of Fellahieh as the capital of the Chaab, the matter, of course, escaped discussion.

From the commencement of the reign of Agha Mahomed Khan the "pishkish" of the Chaab seems to have been reckoned by the Government of Fars as a part of the annual revenue of the province, and to have been demanded accordingly, but still there was great irregularity in the payment and a still greater uncertainty as to the amount of the liability. As far as I can discover, the annual tribute was calculated by the Persian Government at about 4,000 tomans; such being the aggregate amount at which the former Afshar occupants of the lands of the Jerrahi had been assessed; but the sum realised did not, it is said, on an average exceed one-fourth of this true or assumed liability. In the time of Futteh Ali Shah the first attempt was made to exact a regular and, as far as it went, a defined payment, the annual salary of Hassan Khan, one of the chief officers of the Shiraz Court, amounting to 1,000 tomans, being drawn by *berraut* upon the Chief of Fellahieh; but it does not by any means appear that this was considered by Persia as a full acquitance of the liabilities of the Chaab, or that it was ever settled upon what particular account the sum was levied. On the contrary, independently of Hassan Khan's salary, a year rarely passed without presents of horses and money to a considerable amount being made by the Chaab sheikh to the Governor of Shiraz; and when Mahomed Ali Mirza, in 1818, marched against Fellahieh, he demanded and received 13,000 tomans from Sheikh Thamir on account, as it was alleged, of accumulated arrears of revenue.

Dependency on Persia for a Long Period shown to have been only partial.

Persia, nevertheless, can hardly, I think, substantiate a legal claim to the dependency of the Chaab by the precedents of this period. She certainly in practice was more closely connected than Turkey with the country; but her relation to the Chaab at the same time bore the character of intimidation on the one hand and of concession on the other, rather than of the assertion and fulfilment of the acknowledged rights of a superior Government. No attempt was ever made by Persia to assess the lands, to appoint a governor of the tribe, to levy troops for the defence of the State, or in fact to exercise any of

the legitimate functions of sovereignty. She was content on ordinary occasions to accept of a "pishkish," which the Chaab now assert to have been in lieu of the rent of the Persian lands in their possession, and when she had adequate means at her disposal she violently extorted as much as the Chaab had the means of paying.

Latterly control of Persia has been complete.

Since the reign of the present Shah [Mahomed Shah, 1834–1848] it must be admitted that the proceedings of Persia in regard to Chaab have been conducted in a manner more clearly to establish and to realise a right of sovereignty. She has displaced and appointed governors, exacted hostages, garrisoned Chaab towns with Persian troops, levied an annual revenue, and latterly she has undertaken to assess the lands according to the value of the produce,* in the same manner as is customary in other parts of the Empire. But whether these acts may be considered to have legalised the former partial and undefined dependency, or whether they are to be regarded as mere aggravations of trespass upon Turkish rights, can only be decided by determining to what extent a claim to allegiance may exist *de jure* after it has ceased *de facto*.

* The liabilities of the province have been thus raised from 4,000 to about 20,000 tomans annually.

Present State of the Question of Dependency.

I have heard the claim of Turkey to the lands of Goban frequently insisted on as a strong ground in favour of her right to the dependency of the Chaab; but it appears to me that an undue consequence has been attached to this point. That the Chaab were Turkish subjects at the period of Sultan Murad's treaty with Shah Sefi (A.D. 1639), which, in its definition of the territorial rights of either Government, is supposed to be still in force, is unquestioned; that the tribe has been virtually independent of Bussorah for the last century is equally a matter of notoriety. How then does it affect the present question of dependency whether, intermediately between these periods, the tribe resided in Persian or Turkish territory?

Right of Territory.

I now proceed to examine the right of territory respectively possessed by Turkey and Persia to the countries at the embouchures of the Euphrates and Karun.

Boundaries of the two Empires Irak-i-Arab and Khuzistan.

The treaties of 1822 and 1746 refer back to the convention between Sultan Murad and Shah Sefi for the definition of the territorial limits of the two Empires, and unfortunately I have never been able to obtain a copy of that

document.* I have understood, however, that a broad geographical distinction is alone contained in it between the possessions of Persia and Turkey in their conterminous southern territory by the attribution of Khuzistan to the former Power and of Irak-i-Arab to the latter, and in an age when maps and surveys were unknown, it appears to me, I confess, that this is the only territorial division that could have been conveniently adopted. I shall assume, therefore, that the question of right is thus correctly stated, and endeavour, in consequence, to fix the true geographical limits of the two provinces.

Basis of Geographical Distribution between these Provinces.

The rule of appropriation from the time of authentic history appears then to have been simply this: that the lands deriving water from *the Tigris and Euphrates belonged to Irak-i-Arab, while the country along the banks of the Karun was within the limits of Khuzistan.* Nothing, perhaps, could be more simple in principle than this distribution, but nothing could be more fluctuating and perplexed than it has proved in practice, owing to the numerous changes in the courses of the rivers.

Practical application of it in marking the Old Line of Frontier.

Thus, in the earliest ages, the Bamishere was, I believe, one of the true channels of the Karun; but when the science of geography revived under the enlightened rule of the Caliphs of Bagdad, and an attempt was made to fix the demarcation of the various provinces of the Empire, it is quite certain, from the united authority of all authors, that the Karun, joining with the Jerrahi in a large marsh near the site of the modern city of Goban disembogued into the sea in a delta near the Khur-i-Moosa. There is no trace in the early Arab geographers of any connection between the Karun and Bamishere. On the contrary, in the maps of Jeyhani, which date from the fourth century of Islam, the line dividing Khuzistan and Irak-i-Arab is drawn from the sea coast, midway between the mouth of the Bamishere and the Khur-i-Moosa, and is prolonged without crossing any river in a north-western direction parallel to the course of the

* A translation of the copy preserved in the Imperial Library in Vienna had been obtained for the use of the Foreign Office in December 1842. Versions of this Treaty, concluded in 1639, and of the Treaties of 1746 and 1822, are printed in Confidential 10007. A memorandum by Major Rawlinson, based on an examination of abstracts of the Treaty of 1639, taken from the Jehán Namá and the Tarikh-i-Nàimeh, is printed in Confidential 8793.

Shatt and Tigris, and at a sufficient distance from these rivers to shut out from Khuzistan all the lands upon their banks deriving water from them as high as the 32nd degree of latitude. At this period, as is expressly stated by numerous authors, the *Bamishere River was the left* branch of the Euphrates, and the lands receiving water from it were consequently included in Irak-i-Arab.

Rendered fluctuating and perplexed by the changes in the courses of the rivers.

About the sixth century of the Hegira we find the first notice of the disemboguement of a branch of the Karun into the Bamishere; but it is worthy of remark that the latter river was not the less considered to be the eastern exit of the Euphrates; from which I infer that the water must have run from the Shatt through the Haffar into the Bamishere, instead of, as at present, from the Karun through the Haffar into the Shatt. Of course, under such circumstances, the country along the Karun to the point of its junction with the Bamishere would alone be gained by Khuzistan; that along the Haffar and the Bamishere, drinking the water of the Euphrates, would continue to belong to Bussorah. But by degrees the waters of the Karun appear to have altogether deserted the eastern branch, and then it must have been that the whole body of the river flowing into the Bamishere not merely filled that bed exclusively with its own stream, but forced its way also into the Shatt through the Haffar Canal, and thus effected an important change in the limits of the Persian Empire; for according to the old distribution the lands along the Haffar and the Bamishere would under such circumstances become subordinate to Khuzistan. If, indeed, we follow the original principle of allotment we must admit that when Sheikh Salman threw his dam across the Karun to replenish the Goban River he restored the lands of the Haffar and Bamishere to Turkey, for the pressure of the water of the Karun being diminished, the Euphrates doubtless resumed its former course; and again when Kerim Khan destroyed the dam he must have recovered these lands for Persia, as the force of the Karun, concentrated in one stream, would now prevail over the Euphrates, and appropriate to itself the channels of Bamishere and Haffar.

Difficulty of verifying the Principle in Modern Times.

We have, I confess, in modern times very little proof of the practical working of this distribution, for the science of geography has been almost extinct in the East since the age of the

Instance of departure from it in reference to the Lands of Goban.

Chenghizian kings. Up to that period certainly the towns near the Persian Gulf which are mentioned in Oriental authors as dependent on Bussorah and on Khuzistan are those respectively watered by the Euphrates and the Karun; but shortly before the rise of the Suffavean dynasty the town of Goban is reported in the country to have been founded by emigrants from Bussorah near the site of the ancient Hasi-Mehdi, and to have been placed under the protection of the Government of the former city, which thereby must have extended its political frontier far beyond its proper geographical limits. A line of princes reigned in this province, it is said, for 150 years, dignified by the name of pashas; and the authority of the "Jehan-namá," a Turkish work of this period, is brought forward to show that these pashas of Goban were subordinate to the Government of Bussorah.

Means available of proving the territorial right of Turkey to lands on the Shatt-el-Arab, independently of geographical precedent.

As far as I can ascertain, the pashas of Goban were actually in power at the period of Sultan Murad's treaty with Shah Sefi in A.D. 1639, but whether their dependence upon Bussorah was really of such a nature as to entitle the territory over which they ruled to be considered an integral part of Irak-i-Arab, in opposition to all geographical precedent, or whether their connection with the parent Government was of the same loose and undefined character as that of the Chaab who succeeded them, is a point which I have not been able to resolve; and, indeed, as the district of Goban has now become a desert, and has thus lost all territorial value, it is of no great consequence to determine its original dependency. Of far more importance is it to the question of frontier at present pending to find that, from the earliest establishment of Turkish rule in Mesopotamia—that is, from the commencement of the sixteenth century—the dependence upon Bussorah, and consequently upon Turkey, of the lands on the *left bank of the Shatt-el-Arab*, from the sea as far as Girdelan, has been acknowledged and recorded, the famous Sultan Selim, in about A.D. 1512, having conferred the lands in question in free grant upon four holy men of Bussorah—Sheikh Abd-el-Salam, Sheikh Ahmed-el-Befahee, Sheikh Habeeb Ollah, and Sheikh Ibrahim Roodbein—and a great part of the original patents, passed under the Sultan's seal, being, as it is affirmed, still in existence. That thirty years elapsed from

But Mohammerah is not on the Shatt-el-Arab.

the date of Sultan Murad's treaty with Shah Sefi before the Turkish authority was fairly and permanently established in Bussorah is not, I think, of any material consequence. The present right of Turkey to the town, according to that treaty, as a dependency of Bagdad and a part of Irak-i-Arab, has never been subject of dispute; and if the claim to Bussorah be conceded the right to all the lands dependent upon it will follow as a matter of course. Now, the land upon which the town of Mohammerah was subsequently built was unquestionably one of these dependencies; it was specified, indeed, as I understand, in one of Sultan Selim's grants. It continued in the lands of the descendants of the original grantees for above two centuries. It was then resumed by the Bussorah Government on some trivial pretext, with many other lands in the vicinity, and it was subsequently farmed, together with the lands of Haffar and Tamar, by Suleiman Pasha, of Bagdad, as I have previously stated, to the Chaab chief, Sheikh Salman. Turkey is thus able to show her practical exercise of supremacy over the lands of Mohammerah for a consecutive series of 250 years. But this is not all. So incontestable were her rights considered to be that the Chaab, long after they had become virtually independent of Bussorah, continued to pay the rent or land tax instituted by Suleiman Pasha for the districts of Tamar, Haffar, and Mohammerah. Three hundred tons of dates are, indeed, still yearly handed over to the officers of the Bussorah Government as the share of produce of the two former farms; and it is only since the forcible occupation of the town of Mohammerah by the Persian troops that the payment of the annual land tax of 500 karoosh (about 40*l.*) for the ground upon which the town is built has been discontinued. That Turkey is unable, in the same conclusive way, to prove the acknowledgment of her claim to the remainder of the territory stretching down along the Shatt from Mohammerah to the sea is owing merely to the lands in this quarter having been exempt from taxation, agreeably to Sultan Selim's patent, when the Chaab violently wrested them from the possession of the descendants of Sheikh Abdul-Salam, the original grantee.

Mohammerah included in those Lands and in possession of Turkey until within the last few years.

But although the question of the political dependency of Mohammerah and the adjoining

territory may be thus considered as a mere matter of argument to be proved almost to demonstration in favour of Turkey, the geographical appropriation of the lands is by no means so easily disposed of.

Former dependency of Mohammerah upon Bussorah geographically correct.

When Sultan Selim bestowed the grounds of Haffar and Mohammerah upon Sheikh Ahmed-el-Refahi they were doubtless strictly dependent upon Bussorah; for the Karun river still flowed in the Goban bed, and the Haffar Canal, upon which the lands were situated, was thus still a channel for the waters of the Euphrates. When Sheikh Salman also obtained the lands from Suleiman Pasha they were in the same condition, for his dam across the Karun had again checked the force of the western branch of the river, and the Euphrates accordingly again disembogued a part of its water by the Bamishere channel, irrigating Haffar and Mohammerah as it passed them; but since the last destruction of the dam of the Karun, and accordingly from a period long anterior to the foundation of the present town of Mohammerah, it must be evident that, according to the old basis of distribution, the lands being watered by the Karun, which had now a second time appropriated to its own stream the bed of the Haffar, must belong geographically to Persia.

At present, owing to changes in the course of the rivers, it belongs geographically to Khuzistan.

I know not upon what ground Persia claims the left bank of the Shatt-el-Arab, unless indeed it be that the lands were at one time occupied by the Chaab, whom she regards as her subjects. The right of Turkey, politically and geographically, to all the country which is dependent for its cultivation on the water of the Shatt-el-Arab is, I think, unquestionable.

The frontier between the two Empires ought to be defined, according to geographical precedent, by a line drawn lengthways through the Island of Abadan, from the sea on its southern side to its north-western point. And then from the angle on the right bank of the Haffar Canal, formed by the junction of that stream with the Shatt-el-Arab, midway between the two rivers to the desert; from whence it would run up along the old boundary, parallel to the river and at a distance of some 6 or 7 miles from its banks passing between two ruined land-marks called the Kushk-i-Ujam and Kushk-i-Bussorah, and proceeding on to the village of Sowaib upon the Kerkha. Above this point the determination of the line, if contested, would be attended with

great difficulty; for the whole of the country inhabited at present by the Beni-Lam is within the geographical limits of Khuzistan; while, on the other hand, at the time of Sultan Murad's treaty Hawizah is said to have paid tribute to Bussorah; but, fortunately, these questions are not subjects of dispute.

Sketch of the frontier, as it should be drawn in conformity with the old basis of distribution between Irak-i-Arab and Khuzistan. Gives to Turkey all the Lands on the Shatt-el-Arab, and to Persia Mohammerah.

The line, which I have thus marked in accordance with what appears to be strict geographical propriety, has a due regard, I think, to the claims both of Turkey and Persia. Turkey, indeed, on the ground of the dependency upon Bussorah of the pashas of Goban, claims the dry bed of the eastern branch of the Karun as her boundary in that direction, and she desires to draw a line from the point of division of that channel from the Karun, where the ruins are still to be seen of Sheikh Salman's dam, directly across to the landmarks of Kushk-i-Ujum and Kushk-i-Bussorah. The entire tract, however, between the old Goban River and the immediate vicinity of the banks of the Shatt-el-Arab is a desert, and hardly worth disputing. The only valuable possessions which she would lose in confining herself to the frontier that I have traced, would be the lands along both banks of the Haffar Canal, where the double town of Mohammerah is now situated; but to these lands she cannot advance any valid geographical claim, and for many years they have been practically lost to her.

I propose to conclude my memorandum with a few observations on the modern history of Mohammerah.

Building of the two Forts of Mohammerah and Kut-el-Sheikh.

The town, as I have stated, was built in about A.D. 1812 by Mirdow and his son Haji Yussef, according to the orders of Sheikh Ghais, at the time when the Chaab withdrew before the Muntefik from the left bank of the Shatt. The original construction was a mere petty fort on either side of the Haffar Canal, which at this point is about 150 yards across. Haji Yussef from the commencement resided in the fort on the northern bank of the Haffar, and as he very early evinced a disposition, relying on the strength of his situation, to disregard the authority of the Sheikh of Fellahieh, the next heir to the chiefship of the tribe was usually stationed in the fort on the southern bank of the canal, to hold him in check, and to administer the Chaab affairs upon this, their western frontier. During the life-

Heir to the Chiefship of Chaab stationed at Kut-el-Sheikh.

time of Sheikh Ghais, his brother Mobadir thus acted as his deputy on the Haffar, and when Mobadir subsequently resided at Fellahieh, the third brother, Thamir, succeeded to the command of Mohammerah. Thamir in the same way, on his elevation to the chiefship of the tribe, placed his nephew Fariss at Mohammerah, and since Fariss has been transferred to Fellahieh, his brothers, Hachim and Mohammed, have successively been stationed on the Haffar. The fort on the southern bank of the river, although a part of the original Mohammerah, has thus received the name *par excellence* of Kut-el-Sheikh or "the sheikh's castle," while that on the northern bank has alone to the present day retained its old designation. The Kut-el-Sheikh being directly subordinate to Fellahieh, has followed in all its changes or modifications the political dependency of the tribe of Chaab; but the chiefs residing in the fort of Mohammerah have sometimes acted without reference to the supreme sheikh, and as it is this northern fort that has been the great object of contention between Turkey and Persia, it is necessary to trace its fortunes with some care.

This place a *bonâ fide* dependency of Mohammerah.

Chief of Mohammerah endeavoured to be independent of Chaab.

Haji Jabir succeeded his brother Haji Yussef in the government of the fort of Mohammerah about twenty-five years ago. As the son of a slave of the Chaab sheikh, and at the head of a small Chaab colony, he could not of course pretend openly to assert his independence of the authority of Fellahieh; on several occasions he furnished his share of the Chaab levy to enable the sheikh of the tribe to meet the demands of Persia, and he also sent men to Sheikh Thamir's assistance when Fellahieh was threatened by a hostile force, but still these proofs of allegiance appear to have been but partially and reluctantly given. He settled directly with the Government of Bussorah for the land rent of the town of Mohammerah, and he made occasional presents to the Persian governors of Dizful and Howeizah unknown to the Chief of Fellahieh, showing, as I think, that his jealousy of the Chaab sheikh was only equalled by his fears of Persia and of Turkey. His real object, no doubt, was independence, and he was quite content to be permitted its enjoyment without any offensive declaration of his views.

Mohammerah ruined by Ali Pasha.

Mohammerah, however, swelling from a petty fort into a considerable town, had between the

years 1830 and 1837 risen into so much consequence as an emporium of trade that it attracted general attention, and Sheikh Jabir's anomalous position began of course to be submitted to enquiry. Ali Pasha, of Bagdad, desirous of protecting Bussorah from any further injury to its revenues, considering Sheikh Jabir in no other light than as a servant of the Chaab, and believing that the land on which Mohammerah was built was unequivocally Turkish property, marched against the place in A.D. 1837, took it by *assault, and plundered all the merchandise that had been stored in its warehouses.* Having levelled the walls of Mohammerah, carried off the guns, and left the place defenceless, he then followed up his success, as I have before mentioned, by a *demonstration against Fellahieh*, which compelled Sheikh Thamir to fly to Koweit, and placed the dependency of the Chaab tribe altogether in his hands. Jabir, in the meantime, had fled to Bushire, and had endeavoured to interest the Government of Shiraz in his behalf, urging with some plausibility (though, as it appears, now for the first time) that as Mohammerah was watered by the Karun it must be regarded as Persian property. But his solicitations were inopportune, and accordingly were fruitless; and he was thus obliged to return to his dismantled town and rely on his own resources for further protection.

Haji Jabir, the Chief, throws himself on the protection of Persia.

About the same time the Turkish troops, being withdrawn to Bagdad, Sheikh Thamir also returned from Koweit, and having displaced Sheikh Abdul Rezak, who had been left in the Government of Fellahieh by the Turks, he signed, *for his own personal ends*, a convention with the Pasha of Bagdad, securing himself in occupation of the sheikhship and pledging the allegiance of his tribe to Bussorah. But Sheikh Jabir, who could not so easily forgive the destruction of his flourishing town by the Turks, refused to be bound by this convention: he now asserted and maintained his independence of Thamir, and threatened, if interfered with, to call in the protection of the Persians. I believe that the direct political connection between Mohammerah and Persia dates no further back than Haji Jabir's visit to Bushire in 1837, and how much of cordiality or even of practical dependency there was in the connection which was thus formed may be comprehended from the fact that

Sheikh Thamir, of Fellahieh, declares his dependency on Turkey.

Persia establishes her authority over Mohammerah and Chaab.

when, four years afterwards, the Moetimed-ed-Dowleh for the first time visited Mohammerah at the head of a Persian army, with a view of marching on Fellahieh from the southward (its only vulnerable point of attack), Haji Jabir was afraid to trust himself in the hands of his acknowledged chief, but again fled to Koweit, leaving his nephew, Haji Mahomed, to act as his deputy with the (so-called) friendly Persian army. Mohammerah, in the meantime, had been rebuilt and had recovered much of its former consequence, so that the Moetimed-ed-Dowleh, seeing at once the advisability of retaining his hold upon the place, determined to leave an officer to reside, on the part of the Persian Government, with Sheikh Jabir, whose absence he affected to consider a matter of no moment. Subsequent events have tended most singularly to promote the accomplishment of the ends he had in view in making this arrangement, and I proceed accordingly to detail them.

Haji Jabir, having returned to Mohammerah after the withdrawal of the Moetimed-ed-Dowleh, sent his nephew, Haji Mahomed, to Fellahieh to concert measures, as it is said, with Sheikh Fariss (who had been placed in the Chaab Government by the Persians to the exclusion of his uncle Thamir) for their mutual support and protection in the event of a second Persian invasion. This young man, shortly after his arrival, was shot by the Chaab sheikh as a rebel to his chief and a traitor to his tribe. The flames of strife broke out again, of course, more fiercely than ever between the two Chaab families; Hashim, the brother of Fariss and Governor of Kut-el-Sheikh, made an attempt to cross the Haffar and drive Jabir out of Mohammerah; and the latter chief was thus obliged for his own protection to put in execution his long-threatened requisition for the presence of a Persian garrison. A detachment of troops from Dizful accordingly occupied the town of Mohammerah in the spring of 1843, and remained there until a few months back, when Jabir, relieved from his fear of attack from Kut-el-Sheikh, contrived, by showing the difficulty of their subsistence, to rid himself of their unwelcome presence. But the Persian officer, with a small escort, continues to reside in Mohammerah as the representative of his Government, and Sheikh Jabir, whose fears are now thoroughly

Blood feud between the Chiefs of Mohammerah and Fellahieh.

Temporary occupation of Mohammerah by Persian troops at Sheikh Jabir's requisition.

An officer continues to reside there on the part of the Persian Government.

aroused, as well by the experience the Persians have had of the accessibility of Mohammerah as by the invitation of his enemy Sheikh Thamir to Erzeroum, acts towards him, not certainly with any real good-will, but still in a manner calculated to avoid the possible forfeiture of his claim to the protection of Persia on occasion of necessity, and at the same time to deprecate the displeasure or hostility of that Government.

Present appearance of Mohammerah.

The present fort of Mohammerah, which has been rebuilt since Ali Pasha's visit in 1837, is a quadrangular enclosure of about 350 yards by 300. The mud wall which surrounds it is of the most ordinary description, and it is entirely destitute of artillery. It possesses only one caravanserai for the accommodation of the merchants—the other buildings contained in the enclosure are the rude huts composed of mud and reeds which form the ordinary habitation of the Arabs.

State of Trade.

There were twelve boats anchored in the creek when I visited the place, which had lately disembarked their cargoes. A Turkish brig of war lies off the Haffar Canal with the avowed object of preventing the boats which enter the Shatt-el-Arab, laden with Indian goods, from turning into that channel, but the obstruction is easily evaded. The boats bound for Mohammerah now either sail up the Bamishere River instead of the Shatt, or, if they draw too much water to admit of their passing the bar at the mouth of the river, they land their cargoes on the Island of Abadan, a few miles below the mouth of the Haffar Canal, and then passing the Turkish guard-ship empty they anchor off Mohammerah, and bring their goods across by land.

Mohammerah has thriven by being a free port, and it has owed this advantage to the uncertainty of its dependency. If Turkish authority were acknowledged the import duties would of course be put at once on a par with those of Bussorah. If, on the other hand, the power of Persia were sufficiently established to disregard conciliation, I imagine that an attempt would be made to institute a tariff similar to that in operation at Bushire and Bunder Abbas. Mohammerah would in either event assuredly decline, for in Arab estimation it has no natural advantages that I am aware of superior to those of Bussorah. Sheikh Jabir no doubt is

Hitherto a Free Port.

Probability of losing this advantage on the settlement of the dispute at present pending.

sensible of this, and his anxiety for the prosperity of his town is thus equally interested with his own personal ambition, in protracting a settlement of the question. His predominant feeling, however, at present is hostility to Sheikh Thamir and his family, and as blood has now been shed between them, it will be in vain, I think, to look for permanency in any arrangement that shall make Mohammerah subordinate to Chaab, or even shall include the two divisions of the tribe under the same Government.

Sheikh Jabir's bitter hostility to Sheikh Thamir a consideration of consequence in adjusting the frontier.

Enumeration of the lands and villages north of the Haffar Canal at present (1844) in dispute between Persia and Turkey.

I have only to observe, in conclusion, that there are at present, independent of the Island of Abadan, twelve places inhabited by the Chaab north of the Haffar Canal which are in dispute between Persia and Turkey. Of these Mohammerah and Hizan belong to Sheikh Jabir and are at present dependent upon Persia, that power, however, deriving no pecuniary benefit from them at all commensurate with the value of her protection—Boojidi and Kut-el-Nawasir pay their revenues to the Bawi Arabs, who consider themselves subjects of the Persian Crown, either as dependents upon Dizful, upon Hawizah, or upon Fellahieh. And Tamar, El Jadeed, Khomeisah, Shakhura, Nahr Yussef, Darband, El Khayin, and El Haffar are under the immediate surveillance of the Chief of Kut-el-Sheikh, acting as the deputy of the Sheikh of Fellahieh, and are subject to the payment of 300 tons of dates yearly for land rent to the Government of Bussorah.

With the exception of occasional presents from Sheikh Jabir, the Persian Crown derives no revenue whatever, either in money, in kind, or in military attendance, from any of these disputed lands, and it can, therefore, be of little consequence to her that the line of frontier which I have traced in a previous paragraph, while it secures to her Kut-el-Sheikh on the southern and Mohammerah and Haffar on the northern side of the canal, restores to Turkey all the other lands both in the Island of Abadan and on the banks of the Shatt-el-Arab above Haffar which are cultivated by the Chaab.

H. C. RAWLINSON,
Political Agent, Turkish Arabia.

Bagdad, January 6, 1844.

No. 2.

Sir Stratford Canning to the Earl of Aberdeen.

(No. 70.)

My Lord, *Constantinople, April* 27, 1844.

CONFIRMED in the persuasion, which I have long entertained, that the conferences at Erzeroum will not terminate in peace without the expression of a decisive opinion on the part of the mediating Powers, I have prepared, and have now the honour to submit to your Lordship, a statement embracing all the points of the negotiation, and suggesting what I conceive to be the most practicable mode of settlement. In the construction of this report I have endeavoured to consult your Lordship's convenience by observing a methodical arrangement of the questions, and avoiding all unnecessary details. The variety of questions at issue, the complicated arguments adduced by each plenipotentiary in the absence of conclusive proofs, the duty of doing justice to both parties impartially, and the importance of making the whole framework of the negotiation clear to those at a distance, have rendered a certain degree of length unavoidable; but I venture, nevertheless, to hope that the subject has been relieved from some of its embarrassments, and that the means of bringing it to the test of opinion are now accessible at a less expense of time and labour.

The reports of the conferences, and other documents, desirable for reference, if not already forwarded to your Lordship either by Colonel Sheil or by myself, are annexed to the present despatch, and severally enumerated in the margin.

The statement itself has been read confidentially by M. de Titow, and his Excellency has undertaken to place it in substance under the consideration of Count Nesselrode. It would have been more satisfactory to me to have had his assistance in forming a plan for the adjustment of so many conflicting claims, but he frankly explained the reasons which impeded his co-operation in that respect, and I have no reason to apprehend that the impressions which he has conveyed to his Court are materially different from mine. He appeared to foresee but little reluctance on the side of Turkey to accept the proposed compromise, and intimated that his Government, however ready it might be to communicate with your Lordship upon the subject through Baron Brünnow, would probably reserve its final judgment for fuller information from Count Medem, who, it seems, is more particularly charged with this matter.

In ignorance of the view which your Lordship may take of the course now submitted, I have abstained from giving M. de Titow a copy of the accompanying report, and from a similar motive I have agreed with his Excellency to make no unauthorised communication upon the subject either to the Porte or to the Court of Persia. This understanding does not preclude us from apprising our respective colleagues at Tehran of the kind of arrangement to which we look for the means of settling the existing differences, and of urging them to communicate without delay, any additional opinions which they may entertain upon the subject, as well as the best conjectures they are able to form of the ultimate intentions of the Persian Government.

It is evident that many weeks must elapse before these several operations can be brought to the desired point. The delay, however, appears to be unavoidable; and a part of my duty is to provide, in concert with Colonel Sheil and the Russian representatives, for the continuance of the present *de facto* tranquillity, by all such means as we can respectively command.

Your Lordship will learn from the accompanying copy of a joint instruction addressed by M. de Titow and myself to our respective interpreters, and communicated by them to Rifaat Pasha, the measures and assurances which we think it desirable for this purpose to obtain from the Porte.

As soon as we receive a satisfactory answer from the Ottoman Minister, we propose to forward it to our colleagues at Tehran, and to urge upon them the expe-

dience of obtaining from the Court of Persia whatever may be necessary to complete a corresponding position on its side.

In a few days the answer will, no doubt, be given, and I have reason to believe that the Porte will not decline the more essential part of our recommendations, though its acquiescence in that respect will probably be accompanied with a general assertion of its rights, and an adherence to its former declarations respecting Kerbela.

I venture, on the whole, to rely upon a continuance of the present state of things along the common frontier for a sufficient length of time to enable the mediating Courts to form and make known their conclusive opinion; but it is evidently most desirable to place the mutual relations of the two divergent parties upon a more solid and durable basis at the earliest practicable period.

Whether or not the Turkish plenipotentiary will now be authorised to enter into the question of the indemnities claimed by Persia, the Porte, I believe, intends to keep him at Erzeroum during the interval of reference to London and St. Petersburg; but in order to prevent any further ill-consequences of Enveri Effendi's indiscretion, it is in contemplation to extend his full powers to the pasha of the province, whose superior rank would place him at the head of a commission.

An additional element of peace would thereby be acquired, the character of Kiamili Pasha being such as to deserve the confidence and esteem of both the commissioners, and the hazard of appearing to break up the conferences without any pacific result would thus be avoided at a season when the frontier tribes of Kurdistan are most prone to the indulgence of their turbulent and predatory habits.

I have, &c.

STRATFORD CANNING.

List of Documents annexed to Sir Stratford Canning's Despatch to the Earl of Aberdeen, No. 70, of April 27, 1844, relative to the Turco-Persian Negotiations.

Despatches from the British commissioners at Erzeroum to Sir Stratford Canning*:—

No. 18 of May 20, 1843. Six enclosures. First and second conference.
No. 19 of May 28. Three enclosures. Third conference.
No. 30 of August 5. Two enclosures.
No. 34 of August 13. One enclosure.
No. 35 of August 13. Three enclosures.
No. 38 of August 20. Four enclosures.
No. 45 of October 15. Two enclosures.
No. 48 of October 29. Two enclosures.
No. 51 of November 12. Three enclosures. Fourth conference.
No. 55 of November 19. Five enclosures. Fifth conference.
No. 56 of November 26. One enclosure. Sixth conference.
No. 60 of December 10. Two enclosures. Seventh conference.
No. 63 of December 17. One enclosure. Eighth conference.
No. 65 of December 26. Five enclosures. Ninth conference.
No. 66 of December 30. Four enclosures. Tenth conference.
No. 1 of January 7, 1844. Two enclosures. Eleventh conference.
No. 3 of January 14. Six enclosures. Twelfth conference.
No. 6 of January 21. One enclosure. Thirteenth conference.
No. 7 of January 28. Three enclosures. Fourteenth conference.
No. 12 of February 12. Five enclosures. Fifteenth conference.
No. 14 of February 17. One enclosure. Sixteenth conference.
No. 15 of February 25. Two enclosures. Seventeenth conference.
No. 19 of March 4. Two enclosures. Eighteenth conference.

†Despatch from Lieutenant-Colonel Sheil to Sir Stratford Canning of March 21, 1843.
†Ditto of March 29, 1843.
†Ditto of July 22. Two enclosures.
†Ditto of August 15.
†Despatch of Lieutenant-Colonel Sheil to the British commissioners of August 29, 1843.

* These despatches have been printed in Confidential 10024.
† These despatches have not been printed.

*Despatch from Lieutenant-Colonel Farrant to Sir Stratford Canning of September 20, 1843.
†Treaty of Sultan Murad IV.
†Treaty of Nadir Shah.
†Treaty of Erzeroum, 1822.
†Extract from Naceman.
†Extract from Jehaun Numa.
Three maps, marked (A), (B), (C).

Sir Stratford Canning to Mr. Pisani, Embassy Interpreter at Constantinople.

Monsieur, *Péra, le 27 avril*, 1844.

L'état où se trouvent les négociations d'Erzeroum est de nature à réclamer la prompte et sérieuse considération de la Sublime Porte.

Depuis l'étrange démarche qu'Enveri Effendi s'est permis de faire dans la dix-huitième conférence et le langage inexplicable qu'il a tenu au plénipotentiaire persan et aux commissaires médiateurs, les conférences demeurent suspendues de fait, et l'espoir où nous étions qu'il recevrait l'ordre de les reprendre tarde à se réaliser.

La continuation d'un tel état de choses devient trop compromettante pour qu'il nous soit permis de différer plus longtemps un échange d'explications avec le Ministère ottoman sur cet objet.

La Sublime Porte a déclaré plus d'une fois son désir de la paix. La Perse également l'a déclaré de son côté. Les Puissances médiatrices travaillent à ce but, et ne sauraient sans un profond regret voir ainsi paralyser les efforts qu'elles y consacrent avec autant d'impartialité que de persévérance.

Pénétrés des vues éminemment bienveillantes et équitables des deux Cours médiatrices, nous nous réservons, M. l'envoyé de Russie et moi, de soumettre les preuves et les données recueillies durant les négociations à nos Cabinets respectifs, dans l'espoir qu'ils y trouvent les éléments d'une pacification durable et que l'influence désintéressée de leurs conseils contribuera efficacement à écarter les obstacles qui se sont présentés jusqu'ici, et à faciliter l'adoption mutuelle d'arrangements compatibles avec la justice et avec la dignité des deux parties.

Dans l'intervalle, nous aimons à espérer que la Sublime Porte voudra bien s'abstenir, aussi bien que la Perse, de toute démonstration militaire, et éviter soigneusement tout compromis propre à exciter l'inquiétude ou à ranimer des sentiments hostiles.

Nous nous croyons fondés à attendre du Ministère ottoman une déclaration explicite et réitérée à cet égard; et comme le plénipotentiaire persan à Erzeroum n'a cessé d'accueillir convenablement les réclamations de la Turquie, nous espérons que des ordres efficaces seront donnés pour déterminer le plénipotentiaire ottoman à tenir une conduite analogue, autant pour ce qui concerne la courtoisie, qui a trop souvent manqué aux procédés d'Enveri Effendi, que plus particulièrement pour l'échange des pourparlers que réclame la question des indemnités, la seule que l'on n'ait pas encore examinée à Erzeroum.

Nous ne saurions terminer cet appel aux dispositions loyales et pacifiques de la Sublime Porte sans exprimer itérativement l'intime persuasion combien il serait à désirer pour sa dignité comme pour ses intérêts politiques envers la Perse, de ne point négliger les remèdes nécessaires pour adoucir l'amertume du souvenir des événements de Kerbéla. Cette conviction nous oblige à fixer de nouveau les yeux des Ministres ottomans sur les deux mesures que nous avons plusieurs fois recommandées comme moyens d'apaiser, sans un sacrifice réel, le ressentiment qui en est naturellement provenu, et de nous aider à influer favorablement sur les sentiments de la Perse.

Vous voudrez bien, monsieur, vous acquitter de la présente instruction, de concert avec votre collègue russe, et, après en avoir remis copie à son Excellence Rifaat Pacha, réclamer les soins obligeants de M. le Ministre des Affaires Étrangères pour obtenir sans trop de délai une réponse aux diverses parties de cette communication afin qu'elle soit placée sous les yeux de ma Cour.

Je suis, &c.

STRATFORD CANNING.

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* This despatch has not been printed.
† These treaties have been printed in Confidential 10007.

Preliminary Observations.

IT is unnecessary to revert to the negotiations entered into previous to the conferences of Erzeroum for the adjustment of certain differences which for many years had threatened the peace of Turkey and Persia. The commission appointed to define the boundaries between the two Empires, and upon which mainly depended the settlement of the respective claims for indemnities, was stopped in its very outset by the attack upon Sulcimanieh. The mutual feeling of hostility and the additional demands for satisfaction and compensation to which that event gave rise, required the friendly intervention of the English and Russian representatives at the courts of Constantinople and Tehran to prevent the calamities of a war. The new difficulties thereby created on the frontiers proved to the Turkish and Persian Governments the necessity of more adequate measures than had hitherto been taken for the removal of all differences which existed between them. The mediation of England and Russia, offered in order to secure the success of so desirable an undertaking as the establishment of a sincere and lasting peace between Turkey and Persia was accepted by both these Powers; and the city of Erzeroum was selected as the most convenient place for holding conferences. The Porte appointed Nouri Effendi, and the Court of Tehran Mirza Jaffer Khan, as their respective plenipotentiaries, while the English and Russian representatives at Constantinople respectively named Lieutenant-Colonel Williams, R.A., with the Honourable Robert Curzon and Lieutenant-Colonel Dainese, as commissioners to assist at the intended negotiations.

The British and Russian commissioners arrived at Erzeroum in the month of January 1843, but the sudden death of Nouri Effendi and the serious illness of Mirza Jaffer Khan required the transfer of the full powers, which had been vested in those individuals, and it was not until the Porte had appointed Enveri Effendi, and the Court of Tehran Mirza Takki, as their respective representatives, that negotiations commenced.

Opening of the Conferences.

At the first conference, which was held on the 15th May, 1843, the several plenipotentiaries and commissioners were present. This conference was followed by a second on the 19th, and by a third on the 24th May; but owing to the refusal of Mirza Takki to produce a list of the demands of Persia, and to a suggestion on the part of Enveri Effendi that fresh instructions from the respective Courts were necessary, the negotiations were temporarily suspended without further result than the exchange of full powers. Objections having, at the same time, been raised by the Turkish plenipotentiary to the Persian full powers, it was agreed that an application upon the subject should be made to the Court of Tehran.

Explanations having subsequently taken place both at Constantinople and Tehran, and the two Governments expressing in their respective instructions a sincere desire to conclude a treaty of peace upon a permanent basis, the conferences were renewed on the 8th November following.

Efforts to accelerate the Negotiations.

The interval was employed by the respective representatives of England and Russia in seeking to accelerate the conclusion of a treaty without entering upon a detailed discussion of the principal questions at Erzeroum. The terms proposed at Constantinople were not entirely accepted by the Porte. Modified as they were by the Turkish Ministry, they obtained the assent of the two representatives, and were recommended to the Court of Persia. They signified in substance that a treaty of peace should be concluded; that by one of its articles a commission should be appointed to settle the disputed parts of the frontier; that by another the frontier tribes of Kurdistan should be mutually restored, and their dependence regulated in a permanent manner; that by a third the existing treaty of commerce and tariff should be continued until the parties agreed to adopt the Treaty of Balta-Liman; and, finally, that the Persian princes in Turkey should fix their residence at some place remote from the frontier, unless their safety on returning to Persia should be strongly guaranteed.

(Memorandum transmitted by Mumtaz Effendi to the British and Russian Representatives at the Porte, enclosed in despatch No. 130 of 1843.)*

These proposals were accompanied with a requisition that Mirza Takki should be furnished with full powers equal to those of the Ottoman plenipotentiary; that satisfaction should

* Not printed.

be given for the sack of Suleimanieh; that every question of indemnity should be mutually extinguished; and that no military force should be assembled in Persia within a certain distance of the frontier.

These proposals were not entirely rejected by the Court of Tehran, but their partial acceptance was far from meeting the views of the Porte.

What related to Mirza Takki and the satisfaction, by the removal of the Vali of Senna to Tehran, for Suleimanieh, was sufficient to permit the resumption of the conferences. The Persian Government was, further, willing to consent that a definitive treaty should be concluded at Erzeroum; that the Persian princes should reside in the interior of Turkey, provided they were restrained from intriguing against Persia; that a commissioner should be appointed for the demarcation of the frontiers; that the refugee Kurds should be mutually restored; and that commerce should remain on its actual footing in accordance with the treaty in force, Persian merchants paying 4 per cent., in kind or in value, according to the current market price.

The mutual abandonment of claims for indemnity was peremptorily rejected, except in so far as the attack upon Suleimanieh and the plunder of the vali's camp were concerned. (A.D. 1812.)

On the receipt of this reply at Constantinople, the Porte resisted every attempt of the representatives to obtain a favourable consideration of its terms. The refusal of Persia to give up the whole of its claims to indemnity was deemed to be an insuperable objection, and the Porte would not even engage to instruct its plenipotentiary to discuss the merits of that question at Erzeroum.

The affair of Kerbela was an additional cause of irritation in Persia, and of mutual interposition. Little effect was produced by a letter of explanation and denial from the Grand Vizier to the Prime Minister of Persia, by the application of a sum of money to the relief of the sufferers at Kerbela, or the promise of protecting the pilgrims, repairing the shrines, and restraining the Pasha of Bagdad, on pain of dismissal, from future aggressions. The Court of Persia has demanded the recall of the pasha, a share in the appointment of a governor at Kerbela, the power of naming agents in that and the other sacred places, and a direct participation in the distribution of the relief money. The Affair of Kerbela.

representatives have in vain recommended the last two points to the acceptance of the Porte. Only vague assurances have been given, and the question of Kerbela, though not discussed at Erzeroum, is still among the differences which remain to be settled.

Statement of Claims.

Respective Claims.

The various claims and demands advanced by the two Governments have not been ostensibly specified in the conferences by means of any single document. They are, however, to be collected from the instructions officially furnished to the plenipotentiaries and from the reports of the successive conferences. The following statement of them, derived from these sources, is essential to a complete knowledge of the matters in dispute:—

Turkish Claims.

The Turkish claims and demands are—

(Mohammerah.) (Page 35.)

1. Mohammerah, and all the country to the west of the ancient bed of the River Karun, called the Goban;

(Zohab.) (Page 43.)

2. The district of Zohab, according to the boundaries fixed by the treaty of Sultan Murad IV;

(Northern Districts.) (Page 46.)

3. Certain places particularly specified by the Turkish plenipotentiary in the tenth conference, and situated on the northern frontiers of Persia;

(Frontier-line.) (Page 46.)

4. The settlement of the entire boundary-line between Turkey and Persia according to the treaty of Sultan Murad;

(Suleimanieh.) (Page 48.)

5. Satisfaction and indemnity for the attack and plunder of Suleimanieh;

(Surrender of Tribes.) (Page 51.)

6. The surrender of certain frontier tribes;

(Frontier Tribes.) (Page 51.)

7. An understanding as to the future allocation and government of the border tribes;

(Treaty of Commerce.) (Page 52.)

8. The accession of Persia to the commercial convention of Balta-Liman;

(Insertion of Articles in Treaty.) (Page 57.)

9. The insertion in the new treaty of all the articles, not expressly modified, of the treaty of Erzeroum concluded in 1822.

Persian Claims.

The claims and demands of Persia are—

(Suleimanieh.) (Page 45.)

1. A recognition of the right of the Shah to the province of Suleimanieh by his concurrence in the future election of chiefs, who are to be invested jointly by the Turkish and Persian

Governments, in return for the renunciation of the territorial claim;

2. The restoration of the boundary-line between the two Empires as fixed by the Persian copy of the treaty of Sultan Murad; (Frontier-line.) (Page 34.)

3. Compensation for the destruction of the town of Mohammerah; (Mohammerah.) (Page 49.)

4. Compensation for various losses sustained in the wars of the Mir of Rahwanduz, at Avroman and other parts of Kurdistan, and on the borders of Azerbaijan, Khoï, Salmas, and other places; (Aggressions.) (Page 50.)

5. Arrears of rent for pasturage; (Pasturage Dues.) (Page 50.)

6. Satisfaction for injuries offered to Persian subjects and punishment of the offenders; (Private Injuries.) (Page 50.)

7. The return of duties and taxes illegally levied upon Persians and their goods; (Return of Duties.) (Page 51.)

8. The restoration to Persia of various Persian Kurdish tribes; (Surrender of Tribes. (Page 51.)

9. The abolition of all internal duties except that of 4 per cent., and the punctual observance of all commercial regulations contained in the treaty of Erzeroum; (Commerce.) (Page 52.)

10. Separate and definite arrangements as to the importation into Turkey of certain articles of Persian produce, such as silk, cherry sticks for pipes, &c.; (Monopolies.) (Page 53.)

11. The surrender of Persian fugitives, and particularly of certain members of the Royal Family of Persia; (Surrender of Fugitives.) (Page 53.)

12. The protection of the local authorities in securing to Persian subjects free access to places of pilgrimage; (Pilgrims.) (Page 54.)

13. Due respect and consideration towards officers and subjects of the Shah; (Persian Subjects.) (Page 55.)

14. The right of Persian diplomatic and consular agents to protect Persian subjects, both Christians and Mussulmans, and liberty for such subjects to quit the Ottoman dominions; (Right of Protection.) (Page 55.)

15. The reduction of charges levied from Persian subjects on the high roads between Persia and Trebizond, and at the quarantine of that port; (Reduction of Charges.) (Page 55.)

16. The reference of all matters in litigation between Persians and other Mussulmans to the courts, which decide according to the Holy Law (of the Koran), and not to a tribunal of commerce; and the renunciation of all distinction between Sunnis and Shiahs in the validity of evidence given by them before such courts; (Courts of Law.) (Page 56.) (Validity of Evidence.) (Page 56.)

17. The abolition of various duties now levied upon Persians for the burial of their dead; for the passage of rivers by dead bodies; for the delivery of passports; for lodging in caravanserais; for wearing apparel and other manufactures, &c. (Abolition of Duties.) (Page 55.)

18. The removal of all impediments in the way of marriages between Persian and Turkish subjects; and, (Marriages.) (Page 56.)

19. Liberty to erect Shiah mosques in Turkey. (Erection of Mosques.) (Page 56.)

Sack of Kerbela.

To the claims thus enumerated must be added the demands for satisfaction and compensation on account of the lives and property sacrificed at Kerbela. This question, owing to the religious feelings involved in it, is one of the most important subjects of difference between the two Governments, and has consequently been treated in a distinct shape under the mediation of the English and Russian representatives at Constantinople and Tehran.

It should be borne in mind that nine of the Persian claims were considered by the Porte as settled in the previous negotiations, and its plenipotentiary was only permitted to enter into any further consideration of them at the suggestion of England and Russia. This step was necessary for the complete elucidation and adjustment of the respective claims, as no official statement of the earlier negotiations appears to exist.

Persian Claims formerly discussed.

Persian claims considered settled by the Turkish Government:—

1. Persian princes, guests in Turkey.
2. Depredations of Ahmed Pasha and Hussein Pasha Khan on Avroman and Suleimanieh and payment of pasturage dues.
3. Depredations of the late Mohammed Pasha of Rahwanduz.
4. Bosheallaun and Aheorek.
5. Mohammerah.
6. Zohab.
7. Expenses of Ambassadors.
8. Surrender of tribes.
9. Pillaged property.

(Enclosure 3 in despatch from British commissioners to Sir Stratford Canning No. 19, enclosed in No. 120 of 1843.)*

Treaties forming the Basis of Territorial Claims.

(No. 1. Treaty between Sultan Murad IV and Shah Sefi, dated A.H. 1049 (A.D. 1639).)

(No. 2. Treaty between Nadir Shah and Sultan Mahmoud I, dated A.H. 1159 (A.D. 1746).)

(No. 3. Treaty between Feth Ali Shah and Sultan Mahmoud II, dated A.H. 1237 (A.D. 1822).)

* Not printed.

Former Treaties.†

It is obvious that the right to territory is the most important subject of discussion between the two Governments. The territorial claims of both parties are founded upon the treaty of Sultan Murad IV, the provisions of which relating to the boundaries were confirmed by the treaties of Nadir Shah and of Erzeroum. No authentic copy of the treaty of Sultan Murad has been produced at the conferences. The Persian Government declares that the original, ratified by the Sultan, and deposited in the archives of the kingdom, was destroyed during the anarchy which reigned throughout Persia in

† The text of these Treaties is given in Confidential 16007.

the middle of the last century. The Turkish plenipotentiary has met this statement by observing that, as the treaties of Nadir Shah and of Erzeroum refer to that of Sultan Murad, it is not probable that the Persian Government was ignorant of its terms, and unprovided with an authentic copy. But the treaty of Naidir Shah, which is based upon that of Sultan Murad, is alone expressly referred to in the treaty of Erzeroum (1822). The Turkish plenipotentiary has not satisfactorily explained the absence of the original treaty ratified by the Shah of Persia, which should be found in the archives of the Porte. He has, however, produced a document purporting to be a copy from an official register, and an extract from a Turkish work called "The Annals of Naeemau." The Persian plenipotentiary has also exhibited an extract from this treaty published in a Turkish geographical work called the "Jehaun Numa." The authenticity of the copies of the treaties of Nadir Shah and Erzeroum, produced at the conferences, is admitted by the plenipotentiaries.

(NOTE.—The Persian Plenipotentiary has declared to the commissioners* that his Government has recently found an authentic copy of the Treaty of Sultan Murad IV, which fully confirms the extract produced by him. No such copy has, however, yet been exhibited.)

(Report of 7th Conference.)

(Confidential 10007, No. 2.)

(Confidential 10007, No. 3.)

(Confidential 10007, No. 4.)

Territorial Claims.

Territorial Claims of Persia withdrawn.

Although numerous territorial claims have been advanced by Persia, it is understood that she will only seriously insist upon the possession of Zohab and Mohammerah. Her claims to Akhiskha, Kars, Bayazid, and Van, places actually within the frontiers of Turkey and Russia, founded upon the extract of the treaty of Sultan Murad, produced by the Persian plenipotentiary, are deemed highly extravagant by His Majesty's chargé d'affaires at Tehran, and it is elsewhere stated that they will be relinquished. The claim to Suleimanieh will also, it is understood, be ultimately abandoned. The serious investigation of the territorial rights of the two Powers will therefore be confined to Mohammerah and Zohab.

(Confidential 10007, No. 4.)

Colonel Sheil to Lord Aberdeen, December 26, 1843.†

Sent to Foreign Office in Colonel Sheil's despatch of December 26, 1842.†

(Secret instructions† from the Persian Government to Mirza Jaffer Khan, paragraph 2.)

(Secret instructions to Mirza Jaffer Khan, paragraph 1.)

Mohammerah.

Position of Mohammerah.

The geographical position of Mohammerah will best be understood by reference to the accompanying map. The united waters of the Euphrates and Tigris, which, after their junction, receive the name of the Shatt-el-Arab, flow nearly due south-

(Map A.)

* Communication from Mirza Takki to the mediating commissioners. Enclosure No. 1 in despatch No. 21 to Sir Stratford Canning (not printed).

† Not printed.

east from Korna to the Persian Gulf. The River Karun rising in the Persian mountains of Luristan, runs nearly due south-west until it approaches within 3 miles of the Shatt-el-Arab, and then, bending suddenly to the south-east, flows parallel with that river to the sea.

The two rivers at their point of nearest approximation are united by a channel which, according to the best authorities, is an ancient canal. The modern town of Mohammerah is built upon both banks of this channel, through which the waters of the Karun, and not, as formerly, those of the Euphrates, now flow.

(Major Rawlinson's memoir upon the Chaab and Mohammerah.)*

The Karun had, till about the year 1765 (A.H. 1179), a second outlet into the Persian Gulf called the Goban, which was parallel to, and about 10 miles to the east of, its present outlet, the Bamishere. The latter was the natural outlet of the river, and its waters were forced into the Goban by an artificial dam, after the destruction of which this mouth became perfectly dry.

(Major Rawlinson's memoir.)

Turkish Claim.

The delta formed at the mouths of the two rivers, the Karun and Euphrates, and the country lying between the dry bed of the Goban and the Bamishere, together with the land fit for cultivation on the northern bank of the Haffar, and all districts watered from the Euphrates, is the claim, to its fullest extent, of the Turkish Government.

Persia is actually in possession of the whole delta, and also of a portion of the eastern bank of the Shatt-el-Arab to the north of the Haffar. The boundaries claimed by Persia are defined in the accompanying map by a red line, and those claimed by Turkey by a blue line.

(Map A.)

The Tribe of Chaab.

The delta with a large portion of the Persian province of Khuzistan to the east of it, and the northern bank of the Haffar are inhabited by an Arab tribe named Chaab or Kiab, whose chief settlement is at Fellahieh, a town upon the banks of a canal derived from the River Jerrahi. The history of this tribe being fully given in Major Rawlinson's valuable memorandum upon Mohammerah, it is here only requisite to establish that it came originally from the Turkish dominions; and this fact is admitted by all persons, who have investigated the subject, and only vaguely denied by the Persian plenipotentiary, who declares that from time immemorial it has been subject to the Shah.

(Major Rawlinson's memorandum upon Chaab and Mohammerah.)

(Major Rawlinson's memoir.)

(Report of 7th Conference.)

The immigration of the Chaab appears to

* Enclosure in No. 1, p. 3.

have taken place about the year 1653. They settled on the delta, at that time a district of land too insignificant to excite the attention of either Persia or Turkey, and at the same period established themselves to the east both of the Karun and Jerrahi, indubitably within the dominions of Persia.

(Map A.)

These facts are incontestable. It remains to be determined to which of the two Powers the country between the dry bed of the Goban and the Shatt-el-Arab rightly belongs.

Evidence in support of Claims.

In the treaties which subsist between the two Powers no mention is made of the boundaries between Turkey and Persia to the south of Mendali. Less conclusive evidence has therefore been advanced in support of the territorial claims: (1) *documentary*, such as leases of lands, deeds of sale, &c.; (2) *allegiance* and *tribute* paid by the resident tribe; (3) the *statements* of *modern travellers*; and (4) the *geographical features* of the country, as showing the natural limits.

Documentary.

1. Twenty-four *documents*, dated between the years of the Hegira 1047 (A.D. 1637) and 1182 (A.D. 1768), taken from the archives of the city of Bussorah, have been produced by the Turkish plenipotentiary in support of the claims of his Government. They bear, in the opinion of the commissioners, the marks of antiquity, and consist of deeds of sale, court rolls, and deeds of foundation in mortmain. They do not exclusively refer to lands on the delta, but principally to the islands formed below the Huffar, in the bed of the Shatt-el-Arab. There is, however, a roll of the court of Bussorah, dated in the year of the Hegira 1161 (A.D. 1747), and the latest in which the district of Maharzee (Mohammerah) is mentioned, "whereby the holder of certain lands in Mahallat (Maharzee) is exempted from the payment of Crown dues." As the islands above mentioned are included within the district (Mahallat) of Maharzee, it is not clear whether this document refers to lands on the delta, but there are other documents which undoubtedly apply to them. Admitting the authenticity of these documents, it may be objected that they merely prove a temporary possession, and that similar documents might be produced to support a claim to Tabreez and

British Commissioners at Erzeroum to Sir Stratford Canning, August 5, 1843.*

Colonel Sheil to the British Commissioners at Erzeroum, August 29 and September 27, 1843.†

* Confidential 10024, No. 3, p. 13.

† Colonel Sheil's despatch of August 29, 1843, has not been printed, but his despatch of September 27 will be found in Confidential 10024, Enclosure 1 in No. 7, p. 36.

other cities of Persia, which, in consequence of the defeat of the Persian armies, are known to have been held for some years by the Turkish Government. It must nevertheless be borne in mind that the history of the Turkish occupation of those cities is well known, whilst, in default of every other proof, the documents in question would at least argue a temporary right to the district of Mohammerah. The absence of any documents after the year of the Hegira 1182 (A.D. 1768), while there are many which refer to a previous period, would lead to an inference that after that time the authority of the Turkish Government ceased in the delta; and this supposition fully agrees with the historical facts hereafter mentioned.

The Turkish plenipotentiary has also produced a firman from Sultan Mustafa II to the Governor of Bussorah, and certain letters-patent relating to lands within the district of Mohammerah; but, dated as they are within the century terminating in 1182 of the Hegira, they afford no additional evidence.

The Persian plenipotentiary appears to be unprovided with any evidence of this description. Documents, formerly in the possession of the Persian Government, may have been destroyed during the civil wars which prevailed throughout Persia in the last century.

Colonel Sheil to the British Commissioners at Erzeroum, August 29, 1843.*

Allegiance and Tribute.

2. The only evidence produced at the conferences relative to the *allegiance* and *tribute* paid by the Chaab tribe is to be found in the examination of Sheikh Thamir, the late chief of Fellahieh. This person declares that the Chaab are actually, and have always been, under the dominion of the Sultan; but his evidence must be received with caution, as he has been ejected from his chiefship by the Persian Government, and is now seeking to re-establish himself through the assistance of the Porte. A strong light is, however, thrown upon the subject by Major Rawlinson's memoir and by a despatch from Colonel Sheil, with its enclosures.

(Report of 9th Conference.)

(Major Rawlinson's memoir.)
Colonel Sheil to the British Commissioners at Erzeroum, September 27, 1843,† with the enclosures:
1. A letter from Captain Kemball to Colonel Sheil; and
2. Documents relative to Mohammerah.

The Chaab, although making annual presents in kind to the chiefs of the Afshar, a Persian tribe, in whose territories they pastured their flocks, appear to have been completely dependent upon Bussorah from the time of their emigration to the year 1740 (A.H. 1153). The Karun, at that period, discharged the greater part of its

* Not printed.

† Confidential 10024, Enclosure 1 in No. 7, p. 36.

waters into the Persian Gulf through the Goban; but in the year 1745 (A.H. 1158), that branch having been obstructed, the river flowed entirely through the Bamishere. The Chaab, under their chief, Salman, then crossed the dry bed of the Goban, and seizing upon lands within the Persian territories, constructed a dam across the Karun, in order to restore its waters to their former outlet.

Sheikh Salman now declared himself independent both of Turkey and Persia. Attempts were made to reduce him to obedience by the Shah of Persia, Kerim Khan, in the years 1757 (A.H. 1171) and 1765 (A.H. 1179), but both expeditions proved unsuccessful, although the whole country was overrun by the Persian troops.

Sheikh Salman having also established himself upon the right, or western, bank of the Euphrates, the Governor of Bussorah endeavoured to recover that district. A naval engagement took place in the year 1765 (A.H. 1179) near the mouth of the Haffar, and the sheikh was victorious. It is from this period (Major Rawlinson's memoir.) that Major Rawlinson dates the emancipation of the Chaab tribe from any further political dependency upon Bussorah.

Kerim Khan having destroyed the dam, which forced the waters of the Karun into the Goban, this branch was again left dry. Sheikh Salman consequently removed the seat of his government to Fellahieh, and thus settled his tribe within the Persian dominions.

The distinction between the liability for the payment of rent as tenants of the soil and of a fixed tribute as subjects became gradually lost sight of, and the Chaab, residing the most part in the Persian territory, came to be regarded as Turkish colonists who had emigrated to Persia, and by a continued residence of many years had naturalised themselves Persian subjects. (Major Rawlinson's memoir.)

The arguments of the Turkish Government in favour of its uninterrupted claim to the allegiance of the Chaab are simply these: that it (the Turkish Government) had never made any formal renunciation of its rights; that the Chaab, notwithstanding the removal of the seat of Government to Fellahieh, continued to hold lands upon the Haffar and Shatt-el-Arab subject to Bussorah, and even to pay the revenues of these lands to the governor of that city; that the "meer-i-kalamieh" (fees for pasturage of buffaloes), formerly payable by the tribe, was (Major Rawlinson's memoir.)

merely withheld, because the district of Goban, to which it particularly referred, had become desert; and that a robe of office was frequently also furnished to the Sheikh of the Chaab, long after his settlement on the River Jerrahi, in accordance with the old fashion of annual investiture.

(Major Rawlinson's memoir.)

The opinion of Major Rawlinson, founded upon the above statement, is, "that at the time of Sheikh Salman's decease, and ever since, the Chaab have been virtually independent of Bussorah," that is, of Turkey.

(Major Rawlinson's memoir.)

Of the successors of Sheikh Salman, the late sheikh, Thamir, has alone entered into friendly relations with the Governor of Bussorah; and, without in any essential point admitting the authority of that functionary, he has frequently sent him presents of money and horses, and has received in return, a dress of honour.

Colonel Shell to the British Commissioners at Erzeroum (with the enclosures), September 27, 1843.*

From the reign of the Shah Aga Mohammed Khan, the annual "pishkish," or tribute of the Chaab, was included amongst the revenues of the Persian province of Fars. The sum of 4,000 tomans, or 2,000*l.*, claimed annually from the tribe, was paid with much irregularity, and when Mohammed Ali Mirza, the son of Feth-Ali Shah, marched against Fellahieh, in the year 1818 (A.H. 1234), he demanded, and received 13,000 tomans (about 6,500*l.*) for arrears.

(Major Rawlinson's memoir.)

Examination of Sheikh Thamir before the Commissioners, enclosed in their despatch to Sir Stratford Canning, August 13, 1840.†

Nevertheless, no attempt was made by Persia to assess the lands, to appoint a governor of the tribe, to levy troops, or, in fact, to exercise any of the legitimate functions of sovereignty.

(Major Rawlinson's memoir.)

During the reign of the present Shah, however, and dating from the Turkish attack upon Mohammerah, the governors have been named, the towns garrisoned, and the lands assessed by the Persian Government.

Since the reign of Kerim Khan, the Chaab have used the Persian flag, and in the intercourse which has continually taken place between them and the East India Company, they have either been treated as independent, or regarded as subjects of the Shah.

Colonel Shell to the British Commissioners at Erzeroum, September 27, 1843,* with the enclosures.

Nevertheless, the relations of the Chaab to Turkey or to Persia would not affect the right of either Power to Mohammerah; for whilst the tribe inhabiting that town acknowledged the supremacy of Persia, they admitted the right of Turkey to the land upon which it was built; and

* Confidential 10024, Enclosure 1 in No. 7, p. 36.
† Confidential 10024, No. 4, p. 17.

Major Rawlinson states, but without proof, that it is only since the late occupation of Mohammerah by the Persian troops that the governor of that part of the town situated upon the northern bank of the Haffar has discontinued the annual ground rent of 500 kroosh (40*l.*) formerly paid to the Governor of Bussorah. (Major Rawlinson's memoir.)

It is conjectured that no annual sum has been claimed by the Governor of Bussorah for lands south of the Haffar, as they were specially exempted from the payment of taxes by a patent from Sultan Selim. (Major Rawlinson's memoir.)

The Sheikh of the Chaab also paid yearly to the Governor of Bussorah, but for what district it does not appear 324,000 *okes* of dates. Examination of Sheikh Thamir before the British Commissioners (Enclosure 1 in their despatch to Sir Stratford Canning, August 20, 1843).*

3. With respect to the *statements of modern geographers and travellers*, the Turkish plenipotentiary has produced a passage from the celebrated Arabic work, called "El Kamoos," describing Mohammerah, under the name of *Mahawee* as a village in the most remote part of Bussorah. An extract from the geographical work of Macdonald Kinneir, also cited by the Turkish plenipotentiary, states that the island or delta between the Shatt-el-Arab and the Bamishere was formerly in the Pashalik of Bagdad, but having been conquered by Sheikh Solyman (Salman) from the Turks, has remained in the possession of his successors. Most maps constructed by Europeans adopt the Shatt-el-Arab as the boundary between the two Empires. The impression usually made upon travellers, that Mohammerah appertains to Persia, may be attributed to the religion of the inhabitants, which is Shiah and not Sunni, to the use of the Persian flag by its vessels, and to its being the resort of Persian merchants, and having no Turkish officers or custom-house.

Statements of Travellers and Geographers.

(Report of 9th Conference, with Enclosure 3.)

(Report of 9th Conference, with Enclosure 3.)

Colonel Shiel to the British Commissioners, September 27, 1843.†

4. The *geographical features* of the country about Mohammerah will form a very important consideration in the future demarcation of boundaries; but they afford little evidence of the former rights of either Turkey or Persia. The changes, which have taken place from natural causes in the course of the Karun, have partly given rise to the present question. Major Rawlinson is of opinion that, according to

Geographical Features.

(Major Rawlinson's memoir.)

* Confidential 10024, No. 6, p. 29.
† Confidential 10024, Enclosure 1 in No. 7, p. 36.

authentic history, the rule has hitherto been that, the Euphrates being a Turkish river, Turkey has an indisputable right to all lands which it waters; and that the Karun being a Persian river, Persia has the same right to the country which it traverses. Seventy years ago the Goban was a branch of the Karun, but it appears doubtful whether the Bamishere received the waters of the Karun, or of the Euphrates, or of both rivers. Originally the Bamishere appears to have been the true outlet of the Karun, although even in the fourth century of the hegira it received the waters of the Euphrates. The canal, upon which Mohammerah is built, was constructed in order to unite the Euphrates and Karun. Admitting, then, the principle, that the lands watered by the rivers belong to the country in which those rivers severally rise, if the Goban were the true bed of the Karun, and the Bamishere a branch of the Euphrates, then half the country between the Goban and the Bamishere would belong to Turkey, and half to Persia. But whatever might have been the case about seventy years ago, it is now an indisputable fact that the Bamishere is formed by the waters of the Karun alone, whilst the canal, upon which Mohammerah is situated, is also an outlet of that river, and does not receive any part of the waters of the Euphrates. It will, therefore, be perceived that the claim to part of the territory on the side of Persia virtually proceeds from a change in the course of the Karun.

(Major Rawlinson's memoir.)

(Major Rawlinson's memoir.)

Colonel Shiel to the British Commissioners, September 27, 1843.

Testimony of Individuals.

The evidence given by Sheikh Thamir, and by certain natives of Bussorah, before the plenipotentiaries in conference, and before the English and Russian commissioners alone, and also a certificate signed by thirty-five inhabitants of Koweit, a town on the Persian Gulf, have been produced in support of the Turkish claims. But it must be observed that the persons whose depositions have thus been taken are all, except Sheikh Thamir, Turkish subjects residing at a distance from Mohammerah. Sheikh Thamir is a refugee seeking to recover his territories from the Persian rulers, and, therefore, anxious to conciliate the Turkish Government.

(Report of 10th Conference and enclosure.)

The memoir of Major Rawlinson may tend to show that Sheikh Jabir, governor of the northern portion of the town of Mohammerah, was in some degree independent of the Sheikh of the Chaab,

but considerable doubt appears to be cast upon this fact by a statement in the same memoir, and by the enclosures of a despatch from Colonel Shiel to the British commissioners at Erzeroum. If the former independence of the tribe of Chaab, or of any part of it, were recognised, its reduction by Persia might constitute, on her part, a valid right to its possession.

Colonel Shiel to the British Commissioners, September 27, 1843.*

Colonel Shiel to the British Commissioners, September 27, 1843.*

Upon a careful and impartial consideration of the evidence thus fully stated, the following conclusions appear to present themselves:—

Conclusions drawn from the Evidence.

1. That the tribe of Chaab, to whom the town of Mohammerah belongs, was originally subject to Turkey, and that having about 150 years ago emigrated from Turkey and settled on Persian lands, it has constantly endeavoured to establish its independence, but from the time when it completely threw off the yoke of Turkey has become more or less subject to Persia, and has acknowledged its liability to the payment of an annual tribute to the Shah;

2. That, although the Chaab have paid this tribute to Persia, they have also paid until lately a certain sum in kind to the Governor of Bussorah, thus proving that they recognised his right to lands which they occupied;

3. That documentary evidence and the natural or geographical features of the country prove the ground upon which Mohammerah is built to have originally belonged to Turkey, although no evidence is produced to show that during the present century the Turkish Government has exercised any authority in that town; but, on the contrary, that its chiefs have been appointed by, and have recognised the authority of, the Sheikh of the Chaab, who is tributary to the Shah of Persia; and

4. That the town of Mohammerah, on both sides of the Haffar, is actually in the possession of Persia.

The whole results in a presumption that the original territorial right is in favour of Turkey, and the right of conquest and possession is in favour of Persia.

Zohab.

Frontiers of Zohab defined by Treaty.

The question of the territorial right to the district of Zohab is accompanied by fewer difficulties than that of the territorial right to Mohammerah. The boundaries of the two

* Confidential 10024, Enclosure 1 in No. 7, p. 96.

Empires on this part of the frontiers were distinctly defined by the treaty of Sultan Murad. In the extracts of this treaty produced, in the absence of the original, by the Turkish and Persian plenipotentiaries respectively, the following frontier places are specified without variation:—

(Confidential 10007, No. 3.)
(Confidential 10007, No. 4.)

"In the province of Bagdad, Jessaun, Bedra, Mendeljeen, Dairna, and Dairtenk, unto the place called Sair-meel, the plains between, the divisions Zeyau-ed-din and Hamroonee of the tribe Jauf, and the villages to the westward of the fortress of Zenjeer and those parts of the mountains above the fortress Zaulim near Shahr-i-Zool, shall be held by the Sultan."

Of the places mentioned as being within the province of Bagdad, Jessaun, Bedra, and Mendeljeen, are actually in the possession of Turkey, whilst Dairna and Dairtenk, part of the district of Zohab, are in the possession of Persia. Their respective positions may be understood on reference to the accompanying map.

(Map B.)

All the places mentioned in the treaty still retain their ancient names, and their positions may be verified with the greatest precision by the boundary commissioners.

Position of Zohab.

The district of Zohab lies to the west, or on the Turkish side of the great chain of mountains which forms the boundary between Persia and Turkey from the northern point of contact; but it may be added that the mountains would suddenly cease to form the boundary near this district, equally whether it were in the possession of Turkey or of Persia.

Documentary Evidence in support of Turkish Claim.

In support of the Turkish claims to Zohab, Enveri Effendi has produced the following documentary evidence: Letters patent from Sultan Ahmed III, dated in the year of the Hegira 1122 (A.D. 1710), granting the tythings of Dairna, Dairtenk, and Shaikhaun (which last place had been separated from Dairna and appended to Kasr-i-Shirin) to a certain Kurdish chief, in which it is stated "that the Persians had crossed the frontiers and had carried away the greater part of the inhabitants of Dairtenk"; and letters patent from the same Sultan confirming the above grant.

British Commissioners to Sir Stratford Canning, August 13, 1843.* Enclosures 1 and 2.

It is fit to observe that the evidence furnished by these documents alone might not be received as conclusive in favour of the Porte's right to the

* Confidential 10024, No. 5, p. 91.

places mentioned in them, and might merely prove a temporary possession, unlawfully acquired during the intestine and foreign wars which harassed the Persian Empire between the reigns of Shah Sultan Hussein and Aga Mohammed Khan.

Colonel Sheil to the British Commissioners, August 29, 1843.* (Report of 14th Conference.)

The Turkish plenipotentiary has also produced three extracts from the geographical memoir of Sir John Macdonald (Kinneir) in support of the claims of his Government. They point out the pass of Kirrind as the boundary between Turkey and Persia.

(Report of 14th Conference, Enclosure 2.)

Testimony of Osman Pasha.

The personal evidence of Osman, calling himself Pasha of Zohab, was taken in support of the Turkish claim before the plenipotentiaries and commissioners. He states that the pashalik of Zohab has been in his family for seven generations, and that he became pasha in the year of the Hegira 1227 (A.D. 1812); that Nadir Shah conquered the province, but that it was ceded to Turkey by treaty concluded between that Sovereign and the Porte; that Mohammed Ali Mirza, the son of Feth Ali Shah, took forcible possession of it in the year of the Hegira 1226 (A.D. 1811), but restored it to Turkey two years afterwards on the demand of the Sultan's Ambassador at Tehran; that he again seized upon it in the year 1232 (A.D. 1816), and was driven out in the year 1237 (A.D. 1821), but that the Persian authority was permanently established there in the year 1238 (A.D. 1822), although Daoud Pasha twice demanded the surrender of the province to the Turkish Government in the years 1242 (A.D. 1826) and 1243 (A.D. 1827), after the conclusion of the Treaty of Erzeroum.

(Report of 14th Conference)

British Commissioners to Sir Stratford Canning, August 13, 1843,† and enclosure.

This evidence proceeding from a refugee actually under the protection of the Turkish Government, and, seeking to re-establish himself in the pashalik, must, of course, be received with caution.

It may not be irrelevant to add that the treaty of Sultan Murad IV was concluded at Zohab, which was then occupied by the Turkish troops, and that no provision for its evacuation appears in the treaty.

Grounds of Persian Claims.

No documentary or other evidence has been produced by the Persian plenipotentiary in support of the claim of his Government to Zohab, or in contradiction to that of Turkey. He has only declared that from the most remote

(Report of 14th Conference.)

* Not printed.
† Confidential 10024, No. 4, p. 17.

period the district of Zohab has appertained to Persia by right both of treaty and of possession, and that its inhabitants are Persian tribes. He has particularly dwelt upon the date of the letters patent, as proving that they were issued at a time when Sultan Ahmed II took advantage of the disturbed state of Persia to seize upon many parts of her territories. He suggests that as Mohammed Ali Mirza had taken possession of Zohab in the year 1226 (A.D. 1811), the Treaty of Erzeroum, which was concluded in the year 1237 (A.D. 1822), would have provided for the surrender of that place had it belonged to Turkey. The Treaty of Erzeroum, however, declares that all places taken from the Porte during the war shall be restored, and refers to the treaty of Nadir Shah, which is based upon that of Sultan Murad IV, for the boundaries between the two Empires.

Conclusion founded upon the Evidence.

It would, therefore, appear that although from the year of the Hegira 1238 (A.D. 1822) the district of Zohab has been continually in the possession of the Persian Government, yet, antecedently to that period, it was a Turkish province sometimes forcibly occupied by Persia.

Nature of Zohab.

It contains, according to the evidence of Osman Pasha, 300 villages and 6,000 families, all of whom are of the Sunni faith. Since its occupation by Persia it has been partly inhabited by Persian tribes.

In the absence of any authentic map of the district of Zohab its boundaries must be settled by the commission employed in determining the frontiers according to the land-marks pointed out in the treaty of Sultan Murad IV. The accompanying map is merely intended to give a general idea of the actual frontiers.

(Map B.)

Territorial Claims.

Further Territorial Claims.

The substantial territorial claims of Turkey and Persia are thus limited to Mohammerah and Zohab. The claims to districts on the northern frontiers of Turkey and to Suleimanieh will, it is well understood, present no real obstacle on the side of Persia to an amicable arrangement. As the demands, however, still urged by Persia with regard to Suleimanieh are closely connected with the assertion of the territorial right to that place, they may now be conveniently mentioned. There is reason

Secret Instructions to Mirza Jaffer Khan.*

Suleimanieh.

Secret Instructions to Mirza Jaffer Khan.*

* Enclosure in Colonel Sheil's despatch of December 26, 1842 (not printed).

to believe that the Persian plenipotentiary would agree, if the Turkish Government should first acknowledge the right of Persia to Suleimanieh, that the place should remain in the possession of Turkey, on condition that its governor should be appointed with the concurrence of both Powers, should receive his investiture from both Governments, and should annually pay to the Persian authorities the customary sum of 30,000 tomans (15,000*l.*) for their summer grounds. The demands of Persia, except those which relate to the annual dues for pasturage, are considered exorbitant by His Majesty's chargé d'affaires at Teheran, and will probably be renounced upon a proper representation. The pasturage dues will be considered together with the demands for indemnity.

Colonel Sheil to Lord Aberdeen, December 26, 1842.*

The territorial right to Suleimanieh was discussed in the fourth, fifth, and sixth conferences. Any particular reference to the arguments would, from the preceding remarks, be obviously superfluous.

Turkish Claims.

The Turkish plenipotentiary has advanced claims to certain villages, castles, and districts now in the possession of Persia, and on the northern frontiers of the Empire, as enumerated in the margin.

(Report of 10th Conference.)

Kal'ah Heftder, with 22 villages.
Kal'ah Dáirek, with 5 villages.
Kal'ah Tcherik, with 33 villages.
Kal'ah Sonuí, with 85 villages.
District of Brodost, with 57 villages.
(Dependencies upon the province of Hakiari.)
District of Kotour.
District of Akhourek.
(Dependent on Mahmoudi.)
District of Serdesht, with 90 villages.
District of Baitoush, with 30 villages.
(Dependencies of Suleimanieh.)
District of Makou, dependent on Bayazid.

The claims to these places are not supported by documentary or other evidence, and it is probable that they are for the most part advanced to meet the claims of Persia, urged in the same conferences to Kars, Bayazid and other places in the possession of Turkey.

Demarcation of the Frontiers.

Necessity of Demarcation of the Frontiers.

The importance of an accurate demarcation of the frontiers to the establishment of future peace and good understanding between the two Powers has been admitted both by the Turkish and Persian plenipotentiaries. The absence of authentic documents and maps relating to the adjacent territories of the two Empires, the length of time which has elapsed since the erection of land-marks, the events which have occurred to disturb the peace of Turkey and Persia and to produce hostilities between them since the conclusion of the treaty of Sultan Murad, and the wandering habits of the various tribes which occupy the frontiers, have rendered a new and complete demarcation of the frontier-line

* Not printed.

Boundary Commission proposed.

absolutely necessary. With these considerations in view, the English and Russian representatives at the Courts of Constantinople and Tehran have suggested to the two Governments the propriety of appointing a commission to trace the boundary-line, which will hereafter separate the dominions of the Sultan and the Shah, from their most northern point of contact to the Persian Gulf. This suggestion has been accepted by the two Mahommedan Courts, and it has been agreed that when their territorial claims shall have been settled by the conclusion of a treaty, a joint commission should be named on the part of the two Governments, and also on the part of England and Russia to proceed to the frontiers, and to trace a complete and well-defined boundary-line between the two Empires.

Joint note from the British and Russian Representatives at the Porte to the Turkish Government (enclosed in despatch No. 220 of 1843).*

Colonel Sheil to Sir Stratford Canning, July 23, 1843.*

Memorandum transmitted by Mumtaz Effendi to the English and Russian Representatives at the Porte (enclosed in despatch No. 136 of 1843).*

Instructions of the Turkish Government to Nouri Effendi (in No. 10 of January 17, 1843).*

Instructions addressed by Hadji Mirza Aghassi to Mirza Tekki.*

Suggestions for settling the Boundaries.

With a view to facilitate the operations of the commissioners, and to secure the permanent effect of their labours, it would be desirable to specify beforehand the names of some principal frontier places in addition to those named in the treaty of Sultan Murad, to provide for a suitable method of arbitration in case of disagreement between the two Mahommedan commissioners, and of recording with the authority of the treaty itself the precise nature of the boundary-line.

Indemnities.

Indemnities.

The claims to indemnity form, after the claims to territory, the most important subject of discussion between the two Governments. From the continued earnestness with which they are urged by Persia, and from the unwillingness of Turkey, not only to give away pecuniary satisfaction, but even to enter into an investigation of the demands of the Persian Government, these claims prove a very serious obstacle in the way of a satisfactory settlement. Hitherto the Turkish plenipotentiary has persisted in not entering into the discussion of this question, which the Porte has, from the first, treated as settled in previous negotiations.

Refusal of Turkey to discuss the Question.

* Not printed.

Except pecuniary compensation for the attack of the Persian forces upon the town of Suleimanieh, demanded by the Turkish Government, the claims to indemnity have proceeded entirely from the Persian plenipotentiary.

Claims as to Suleimanieh.

While the Turkish Government claims compensation for the plunder of the town of Suleimanieh, the Persian Government claims pecuniary satisfaction for the plunder of the camp of the Vali of Ardelan.

Instructions from Sir Stratford Canning to the British Commissioners (sent home in No. 23 of January 31, 1843).*

The Persian Government has proposed to balance these respective claims by the respective losses; but although the vali's camp was attacked on Persian ground, the Porte has affirmed that he had marched to the Turkish frontiers with hostile intentions, and that the surprise of the Persian forces by the Turkish commander was purely of a defensive nature. The assertion of the Turkish Government appears to be corroborated by the report of the English and Russian commissioners sent from Tehran to make enquiries on the scene of action.

Report* of Mr. Thompson to Colonel Sheil on the affair of Suleimanieh.

Sir Stratford Canning to Colonel Sheil, March 21, 1843.*

The claim, therefore, of Turkey to compensation appears to be a valid claim and cannot be counterbalanced by the plunder of the vali's camp; because the indemnity for Suleimanieh is demanded on behalf of the private individuals who were sufferers, whereas the plunder of the vali's camp was the natural accompaniment of a defensive act on the part of the Turkish authorities.

No specific statement of the losses of either party has yet been furnished by the plenipotentiaries.

Persian Pecuniary Claims.

The claims to pecuniary compensation advanced by the Persian Government are three kinds—

1. For plundering incursions into the Persian territory;
2. For the occupation of pasture lands within the Persian frontiers by the Turkish nomad tribes; and
3. For the infliction of various injuries upon Persian subjects within the Ottoman dominions.

The Persian Government, moreover, demands the repayment of certain duties and taxes illegally levied upon Persians and Persian merchandise by the Turkish local authorities.

* Not printed.

Sack of Mohammerah.

1. Of the claims for aggression, that which regards the destruction of Mohammerah by Ali Pasha of Bagdad in the year 1837 (A.H. 1253) is the most important.

It is evident that if Mohammerah were a Persian town, the Persian Government would be entitled to compensation for its destruction. The validity, therefore, of the greater part of the Persian claim depends upon the question of right to Mohammerah.

Secret instructions to Mirza Jaffer Khan.*

Sir Stratford Canning to Colonel Sheil, June 29, 1843 (sent to Foreign Office in No. 136, 1843).*

Colonel Sheil to Lord Aberdeen, December 26, 1842.*

(Reports of 7th and 8th Conferences.)

The claims to compensation for the destruction of Persian property deposited there may perhaps be viewed in a different light. The lowest sum hitherto admitted by the Persian Government amounts to 500,000*l.* This sum is no doubt immensely beyond the value of the property destroyed, and His Majesty's chargé d'affaires at Tehran is of opinion that the Persian Government would eventually consent to greater reductions than any it has hitherto intimated.

The Turkish plenipotentiary affirms that Ali Pasha gave thirty or forty days' notice to the Persian merchants, and, at the same time, to the Persian Government, of his intention to besiege Mohammerah. The receipt of such notice is denied by the Persian authorities, and its delivery has not been satisfactorily proved. Sheikh Thamir, to whom Mohammerah belonged, and certain inhabitants of Bussorah have stated in their examination before the plenipotentiaries and the commissioners that no Persian merchandise was in the town during its siege and sack, the Persian merchants having previously withdrawn to Hawiza and other places. It has been before observed that the evidence of these persons must be received with caution.

Examination of Sheikh Thamir in Report of 8th Conference.

Examination of the same chief before the British Commissioners (enclosure to despatch from them to Sir Stratford Canning, August 13, 1843).†

Examination of Abd-el-Kader. (Report of 9th Conference.)

(Report of 8th Conference.)

Sir Stratford Canning to Colonel Sheil, June 29, 1843 (in No. 136 of 1843).*

That some Persian property was destroyed is not improbable; but, in the absence of any specific statement of its value, it is believed that an infinitely smaller sum than that claimed by the Persian Government would be an adequate compensation to its owners.

Kurdish Aggressions.

Particulars have been furnished, through the British consulate at Tabreez, of certain depredations committed by Kurdish tribes recognising the authority of the Porte, in the districts of Khoi and Salmas; no specification of the value of the

Mr. K. E. Abbott to Sir Stratford Canning, July 15, 1843, and the enclosures (sent home in No. 174 of 1843).*

* Not printed.
† Confidential 10024, No. 4, p. 17.

property carried away, and no evidence of the authenticity of the statement, has been produced.

The Persian Government also claims compensation for losses sustained by Persian subjects in the wars of the Mir of Rahwanduz and other Kurdish chiefs,* at Avroman, Urmia, and other places on the frontiers, but no particulars of such claims have yet been furnished to the English and Russian commissioners.

Arrears of Dues for Pasturage.

2. Arrears due for the pasturage on Persian lands are claimed from certain Kurdish tribes in the neighbourhood of Suleimanieh. As these tribes have long been accustomed to cross the Persian frontiers for pasturage during the summer months, and as arrears of sums, the payment of which was formally stipulated, are due to the Persian authorities, the principle of the present claim appears to be equitable. It will be necessary, however, to determine accurately the annual sum formerly agreed to be paid by the Turkish tribes, and then the arrears which are actually due. The Persian Government declares that 30,000 tomans (about 15,000*l.*) was the annual sum; but a British commissioner who made enquiries in the district states that 5,000 tomans (about 2,500*l.*) only were claimed by the Vali of Ardelan, Governor of Persian Kurdistan, and that during the year 1842 (A.H. 1258) 1,600 tomans (about 500*l.*), and for some years previous 2,000 tomans (about 1,000*l.*), were really paid to the Persian authorities.

Secret instructions to Mirza Jaffer Khan.†

Colonel Shell to Lord Aberdeen, December 26, 1843.†

It is desirable, at the same time, that the pasturage dues to be *hereafter* paid should be settled upon a fair basis; and this could be done on the spot by the commissioners appointed to define the boundaries.

Sir Stratford Canning to Colonel Shell, August 12, 1843 (sent to Foreign Office in Sir Stratford Canning's No. 171, 1843).†

Private Injuries.

3. The Persian plenipotentiary has produced a list of grievances of Persian subjects resident in Turkey, and particulars of various injuries inflicted upon them, but they are not proved by any conclusive evidence. It is probable that Persian subjects may have to complain of such injuries. Many of them are, however, to be traced to wandering tribes, which are little under the control of the

(Report of 17th Conference.)

* See also Sir S. Canning's letter to Mr. Addington of the 2nd July, 1841 (not printed), where allusion is made to the pillage of caravans by Ahmed Pasha during the absence of the British mission from Persia.

† Not printed.

Porte. The satisfaction, therefore, to which such individuals are justly entitled might with fairness be left to the equitable sentiments of the Turkish Government, a stipulation being, at the same time, inserted in the treaty that adequate reparation would be made for injuries proved to have been inflicted on Persian subjects.

Return of Taxes.

(Reports of 16th and 17th Conferences.)

The same remarks will apply to the demands of the Persian plenipotentiary for the repayment of certain duties and taxes illegally levied upon Persian subjects and their goods.

Frontier Tribes.

Surrender of Tribes.

Memorandum transmitted by Mumtaz Effendi to the English and Russian Representatives at the Porte (enclosed in despatch No. 136 of 1843).*

The Persian plenipotentiary has demanded the surrender of certain tribes now within the Turkish dominions. The Porte has consented to a mutual surrender of such tribes as are proved to have crossed the respective frontiers.

Tribes respectively claimed.

Tribes claimed by Persia—

Haideranlu, with sub-divisions.
Sibiki, with sub-divisions.
Jelali, with sub-divisions.
Zilan, with sub-divisions.
Jomeki.
Jemadinlu.
Tekouri.
Shemseki.
Milane.
Karakalpak, with sub-divisions.
Airanlu.
Shekifti, with Mikri.

Tribes claimed by Turkey—

Cimah.
Ourous.
Ibrahim-Khanji.
Jaf.
Hemedevend.
Mengour, part of Belbas.
Milane.
Shemseki.
Shekifti.

The tribes claimed by both parties are specified in the margin.

The claims advanced by the respective plenipotentiaries at present rest, almost entirely, upon historical disquisitions, in support of which no proof is exhibited, and upon which no definitive opinion can be formed. The only documentary evidence produced consists of petitions from the chiefs of some of the tribes, which cannot, of course, be received as conclusive.

(Reports of 12th and 15th Conferences.)

(Confidential 10007, No. 7.)

The right to two Kurdish tribes now claimed by Persia, *Haideranlu* and *Sibiki*, is admitted to be in dispute by the third article of the Treaty of Erzeroum.

Question left to the Boundary Commission.

It would be useless to enter into any further discussion of these claims. The production of separate proof in support of them would occupy many months. It is only by making local enquiries that any conclusive opinion can be formed

* Not printed.

upon the subject. The suggestion, therefore, of the Turkish plenipotentiary that the adjustment of the respective claims should be left to the commissioners for the demarcation of the boundaries, subject to reference to the English and Russian commissioners, appears convenient and reasonable. The tribes claimed by both parties inhabit the frontiers, and their settlements will consequently be visited by the boundary commission.

(Report of 15th Conference.)

Commercial Regulations.

Persian Demands.

The Persian plenipotentiary has demanded the punctual fulfilment of that part of the second article of the Treaty of Erzeroum which relates to the commercial arrangements between the two countries, and its confirmation in the new treaty. This article declares "that with regard to custom duties, the Persian merchants are to be treated in the same manner as Turkish merchants, and that 4 per cent. is to be exacted from their merchandise, and a certificate to be given to them that no other duty is to be again required in subsequent transactions" (of the same goods); or, according to an extract of the treaty produced by the Turkish plenipotentiary "that the duty of 4 per cent. being once paid, so long as they are not disposed of to another person, no further custom dues shall be demanded at any other place contrary to the receipt which shall be given them."

(Reports of 16th and 17th Conferences.)

(Confidential 10007, No. 7.)

(Report of 17th Conference.)

The Persian plenipotentiary asserts that at Erzeroum, as well as at Aleppo, Jeddah, Bagdad, Bussorah, and in Egypt, the custom-house officers exact duties on Persian goods in contravention of the treaty. He demands that Persian merchants shall no longer be called upon to pay duties named "ihtisab," "damgha," and "shahbenderi," and be subject to rules affecting monopolies named "yed-i-vahid," and to exaction of 4 piastres upon bales of Persian silk at Constantinople.

(Report of 16th Conference.)

Reply of Turkish Plenipotentiary.

The Turkish plenipotentiary has replied that the value of goods, as specified in the tariff settled at Erzeroum, has varied greatly since the conclusion of the treaty, and that it is not just that Persian merchants should now pay 4 per cent. according to that tariff and not *ad valorem*; he denies subsequently that any such tariff exists, and certainly no copy of it has been produced at the conferences. He asserts that duties have

(Report of 17th Conference.)

not been illegally levied on Persian goods, and declares that to avoid the dues particularly specified by the Persian plenipotentiary Persia must accede to the Commercial Convention of Balta-Liman, such dues having only been abolished in consideration of higher rates of customs payable by the parties to that treaty; and that "unless Persia accedes to the convention, the Porte will, by virtue of the Treaty of Erzeroum, insist upon the rules which were formerly observed with regard to Turkish subjects, and will issue Imperial orders to prevent Persians from engaging in the home trade of Turkey; and that if, after the promulgation of these orders, any Persian subjects shall be found clandestinely following this trade, they shall be compelled to pay the same, and even higher, duties than Turkish subjects."

Final demands of Persia.

The Persian plenipotentiary, in answer, declines to accede to the Commercial Convention of Balta-Liman, and declares that it is the intention of his Government to adhere to the second article of the Treaty of Erzeroum, and to object to the payment of any duties, and to all restrictions upon Persian trade not warranted by that article.

Secret instructions to Mirza Jaffer Khan.*

It is understood that the Persian Government will consent to no other alteration in the actual commercial regulations than the payment of 4 per cent. *ad valorem*, either in money or in kind, instead of 4 per cent according to a tariff.

(Report of 16th Conference.)

The Persian plenipotentiary also demands the abolition of certain monopolies, and especially those, which relate to the sale of pipe sticks, according to the second article of the Treaty of Erzeroum. It is presumed that the Turkish Government will act according to the spirit of this article.

List of Persian claims and reclamations communicated by Mirza Taki (enclosed in despatch from British Commissioners to Sir Stratford Canning, No. 55).†

(Confidential 10007, No. 7.)

The Surrender of Fugitives.

Demands of Persia.

The Persian plenipotentiary demands the surrender of Persian fugitives, according to the provisions of treaties, and particularly of the fourth article of the Treaty of Erzeroum, which declares that "agreeably to the former agreements of the two exalted Governments, the refugees from either country are not to be retained."

(Treaty of Sadic Shah, Confidential 10007, No. 5.)

(Confidential 10007, No. 7.)

In pursuance of this article, Persia claims certain private individuals, and especially the members of the Royal Family now in Turkey.

(Report of 18th Conference.)

* Not printed.
† Confidential 10024, No. 10, p. 55.

Consent of the Porte to the Surrender of Fugitives.

It is presumed that the Porte will be willing to adhere to the stipulations contained in former treaties for the surrender of individuals who have taken refuge within the Turkish dominions. A reciprocal obligation for the restitution of such persons is imposed upon Persia. But it is desired that a distinction should be made in favour of the members of the Persian Royal Family who are actually in Turkey. The Porte is unwilling to violate the laws of hospitality, esteemed sacred in the East, by surrendering persons of such high rank who in the time of adversity have sought the protection of the Sultan. It has, therefore, proposed that should the residence of the Persian princes in the vicinity of the frontiers be deemed in any way dangerous to the peace or tranquillity of the Shah's dominions, or be seriously objected to on other grounds, they shall be requested to move into the interior, and that the city of Adrianople shall be assigned to them as a place of abode. It is understood that this just and reasonable proposition will be accepted by the Persian Government.

Distinction in favour of Princes.

(Report of 13th Conference.)

Secret instructions to Mirza Jafier Khan.*

It may, therefore, be anticipated that in the new treaty a stipulation for the mutual surrender of fugitives will be inserted, and an exception be made in favour of members of the Royal Family of Persia, on condition of their residing at Adrianople.

Protection of Pilgrims.

Demands of Persia.

(Report of 17th Conference.)

Instructions from the Persian Government to Mirza Jaffer Khan.*

(Confidential 10007, No. 7.)

The Persian plenipotentiary demands the fulfilment of that part of the second article of the Treaty of Erzeroum, which declares that Persian pilgrims are to receive the same protection as Turkish pilgrims; that no fines or fees are to be exacted from them, unless they are carrying merchandise, and then only the customary duties (the Persian Government agreeing to treat Turkish subjects in the same manner); that this agreement is to be strictly observed by leaders of the "haj," or caravan of pilgrims, and by all persons in authority; that the Royal Treasurer of the Porte shall specially protect such pilgrims, all quarrels being referred to him and some other trusty person; and that the harems of the Shah, of the princes and of Persian nobles are to be treated with the greatest respect.

The Persian plenipotentiary has consequently claimed:—

* Not printed.

1. Free access, without tax or hindrance, for Persian subjects to the cities of Mecca and Medina, and to the tombs of the *Imams* in Mesopotamia; and

2. The abolition of certain duties and fees now levied upon Persians; for permission to reside in caravanserais, which were built by former Sovereigns and endowed as charitable foundations; for the passage of bridges by travellers, and by dead bodies conveyed to the holy cities for interment; for certain articles of small value, purchased by pilgrims and travellers as presents for their friends; for passports delivered to Persian travellers at Damascus; and for the right of burial in the cities of *Nejef*, *Kerbela*, and *Kausimain*.

Persian Subjects.

Demands of Persia respecting Persian Officers, &c.

Protection claimed for Persian Subjects.

(Report of 17th Conference.)

The Persian plenipotentiary has also demanded that the Turkish authorities should show towards the Ambassadors, consuls and attachés to missions, as well as to all subjects of the Shah, the same respect that is shown to similar officers, and to other subjects of the five Great Powers, both in the terms of Vizierial letters, Imperial firmans and other documents and in all relations with them; and that the subjects of the Shah, both Christians and Mahommedans, should be protected by his representatives and be permitted to return to Persia at their pleasure. He mentions several instances of the seizure of Persians, who were compelled to serve in the armies of the Sultan, notwithstanding the representations of the Persian Ambassador; and he also states that there are many Armenian families who, having originally emigrated from Persia, are now desirous of returning to their native land, but are prevented from so doing by the Turkish authorities.

Adjustment proposed.

(Report of 18th Conference.)

A proper regard will doubtless be paid to the demands of Persia, and the Porte has already signified, through its plenipotentiary, its willingness to admit the right of protection, whenever the nationality of the individuals claiming it is satisfactorily proved. It has also expressed its desire to enforce a due respect to the representatives and all subjects of a friendly Power.

Exactions upon Persians.

(Report of 17th Conference.)

The Persian plenipotentiary has complained of exactions and ill-treatment experienced by Persian subjects engaged in the trade between the Persian frontiers and Trebizond, and also of

exorbitant fees, which are exacted at the quarantine of that port, and he demands that the charges which shall be made to Persians for provisions, &c., in the villages shall be conformable to the regulations established by the Turkish authorities. These complaints are of minor importance, and their adjustment, although several have been ostensibly rejected by the Turkish plenipotentiary, will of course result from the renewal of a good understanding between the two Powers.

Demands of a Religious Nature.

Demands of a Religious Natuie

(Report of 17th Conference.)

The remaining demands of the Persian plenipotentiary are of a religious character, and are based rather upon the sentiments of friendship and the union which should exist between two Mahommedan nations than upon the provisions of the former treaties. They are of so peculiar a nature and so intimately affect the religious laws and prejudices of the two people that any specific suggestion from the mediating Powers would require to be made, especially towards the Porte, with much care and delicacy.

The demands are as follows:—

Disputes to be referred to Ecclesiastical Courts.

1. That all matters in dispute between Persian subjects and other Mussulmans should be referred to the courts, which decide according to the law of the Koran, and not to any provisional court, or tribunal of commerce, which decides according to conventional laws; and that Sunnis and Shiahs (or those persons who profess the dominant religion of Turkey and Persia) should be admitted, without distinction, to give evidence;

Evidence of Witnesses.

Marriage between Persian and Turkish Subjects.

2. The removal of all impediments in the way of marriages between Turkish subjects of the Sunni faith and Persian subjects of the Shiah faith; and

Erection of Shiah Mosques.

3. Permission for the erection of Shiah mosques and places of worship within the Turkish dominions.

Adjustment proposed.

(Report of 18th Conference.)

(Report of 17th Conference.)

In making these demands the Persian Government offers similar privileges and advantages to Turkish subjects. They have, however, been met by the Turkish plenipotentiary with a refusal, which fully proves the disinclination of the Porte to make any further religious concession to the members of a heterodox sect. The

discourteous manner in which this refusal was conveyed called down the animadversions of the commissioners of the mediating Powers.

It is, of course, difficult to form an opinion upon the merits of a question so closely connected with the religious institutions of the two great sects of Mahommedans, nor is it improbable that the mediating Powers will only think proper to recommend to the Porte such concessions as may tend to the establishment of a good feeling between the people of Turkey and Persia; or in case any change should be deemed incompatible with its religious laws, will urge upon it the necessity of conveying its refusal to the Persian Government in a courteous and conciliatory manner.

Turkish Demand.

Demand of Turkey for insertion in the new Treaty of Articles of Treaty of Erzeroum.

Instructions from the Turkish Government to Nouri Effendi (enclosed in despatch No. 10 of 1848).*

The Turkish plenipotentiary has demanded the textual insertion in the new treaty of all the articles of the Treaty of Erzeroum which shall not be expressly altered in the present conferences.

The Persian Government has not yet replied to this demand, and as all the Persian claims have been put forward, it is presumed that the Court of Persia is willing to accept those articles of the Treaty of Erzeroum to which it has not hitherto expressly objected.

Arrangement proposed.

General Review of the Questions, and Plan of Arrangement proposed.

The various conflicting claims having now been fully examined, it remains to be seen in what manner and by what means the obstacles to an amicable arrangement can be removed. The questions which present a serious difficulty, are those relating to the frontier, to the indemnities, to the Kurdish tribes, and to commerce. But it may be affirmed that, if the territorial and pecuniary claims were once adjusted, no other question, however complicated in itself, is likely to operate as a bar to the conclusion of a definite treaty. With respect to those claims, there is not only the difficulty of uncertain right, increased by irritated feelings, but looking to the question of territory we find the greater show of right on one side opposed to long possession on the other; and looking to that of the indemnities, it will be vain to expect either a

* Not printed.

satisfactory estimate of the amount or adequate means of payment even on the lowest presumable calculation.

Compromise proposed.

The necessity of a Compromise.

In these circumstances, no laboured argument is requisite to prove, that without a compromise on the two main questions, the hope of a pacific settlement is quite illusory. It is equally apparent that a compromise, though founded on the broad and durable interests of the two Mahommedan States, would have little chance of acceptance, if it were not recommended by the mediating Powers and invested, to a certain degree, with the character of a decision. The just and friendly exercise of an authorative influence in this emergency would hardly prove unpalatable to the parties themselves, who, eager as they are in support of their respective pretensions, have never ceased to declare their desire of peace, and cannot be ignorant of the sacrifices and hazards to which a recurrence to hostilities would expose them. They could not indeed discard these considerations without exhibiting a thorough insensibility to danger and a singular inattention to the penury of their resources. By yielding to the joint and friendly advice of the only two Powers to whom the maintenance of peace between them is an object of any particular concern, they would best consult their own dignity, and secure that continued goodwill which holds out to each of them the surest point of refuge in peril and adversity.

Means of effecting a Compromise.

The immediate object of enquiry, therefore, is what description of compromise would be most consonant with equity and most fit to be recommended by the mediating Powers, with a due regard for the interests of both parties. As the territorial claims are advanced almost exclusively by Turkey, while those to indemnity proceed, with a single exception, from Persia, the most obvious expedient would be to seek in the one class of claims the means of forming a set-off against the other. But the territorial rights of Turkey being supported by evidence, and even in some instances by treaty, whilst it is generally admitted that most of the demands of Persia rest upon very slender grounds, this idea can only be realised in part, and by taking the exceptional circumstances into full consideration. If the territorial rights of Turkey were assumed without reference to those circumstances, Persia would be immediately called upon to make a sacrifice, for which she is evidently unprepared, and which might seriously endanger the credit and safety of her Government. Length of possession, continued to the present time, and certain political interests, are to be urged as arguments in her favour, and they might fairly induce the mediating Powers to recommend a modification of the adverse claims.

Plan of Compromise.

Territorial Claims.

The interests involved in the territorial claims, apart from those of domain and tribute, are: with respect to Mohammerah, freedom of navigation and right of toll; with respect to Zohab, the possession of the Pass of Kirrind and of the capital of the district. A free access to the River Karun from the Persian Gulf is essential to Persia, and the possession of the Pass of Kirrind is highly important as a defensive position to Turkey. The occupation of Mohammerah would confer upon Turkey but little increase either of territory or of revenue, but it would ensure to her the entire control over the navigation of the Shatt-el-Arab, and would probably enable her to interfere with that of the Karun and to place restrictions upon the commerce of the adjacent Persian provinces. On the other hand, the possession of the western in addition to the eastern side of the Pass of Kirrind, which depends upon the occupation of Zohab, confers no other additional political advantage upon Persia than the power of carrying hostile operations suddenly and without impediment into the plains of Turkey. It is true that the extent and population of this province render it, in a territorial point of view, far more important than the district of Mohammerah; but these considerations are believed to be secondary to the great political interests involved in the question, and the facts on which they rest can hardly be overlooked in any equitable and comprehensive plan of compromise to be suggested. It is needless to add that the geographical features of the country, as affording the means of tracing a well-defined boundary-line, and thereby preventing future differences as to the frontiers, are also worthy of particular attention.

Mohammerah.

With regard to Mohammerah, it has been shown that the adverse claims to it are neither supported by the express stipulations of treaty nor established by the evidence of any known provincial limits. The natural features of the country may, therefore, in the first place, be consulted in determining a boundary-line consistent with the interests of both parties, and if it be true that the possession of the Rivers Karun and Euphrates constitutes a right to the country through which their waters flow, an equitable adjustment might, perhaps, be founded, in the present state of the country and of the rivers, on this very rational principle. The town of Mohammerah and the Bamishere would be thereby assigned to Persia, because the Haffar and Bamishere are formed by the waters of the Karun, whilst the whole eastern bank of the Euphrates would be restored to Turkey. The boundary-line would then run from the centre of the southern extremity of the delta to its north-western corner, and thence, across the Haffar, at the angle of junction with the Shatt-el-Arab, parallel to, but at a convenient distance in the desert from, the Euphrates, until it met the River Kerkhah near Soueib. A reference to the accompanying map will make this clear. The proposed line is painted yellow. By this arrangement the uninterrupted navigation of the Karun would be given to Persia, and that of the Euphrates to Turkey, whose only sacrifice would be a doubtful claim to the new insignificant town of Mohammerah. To complete the arrangement, it would be desirable for the two Governments to agree that no forts or other military establishments capable of impeding the navigation should ever be erected by either party within cannon-shot of the waters assigned to the other.

(Map A.)

In failure of this plan, owing to any unforeseen or insuperable objection, such as the growing obstruction of the Bamishere from natural causes, the interests and national dignity of both parties might still, perhaps, be sufficiently provided for by the obvious, and possibly the only remaining, expedient of placing the town and delta of Mohammerah under the administration of a Chaab sheikh, securing a common right of access to the town by both parties, and exemption from all duties, but such as should be separately levied by the authorities of Turkey

Zohab.

and Persia, on goods and shipping destined respectively for admission within the limits of either territory.

The question of right as to Zohab has been so far cleared up in favour of Turkey that the Porte might be excused in requiring the entire and immediate surrender of that province, but its long occupation by Persia may well be considered as offering a serious obstacle to the admission of an unqualified right together with its necessary consequences. To obviate any inconvenience relating to this consideration, the eastern part of Zohab, which is usually called the district of Dairna, might, perhaps, be detached, and Persia, being then confirmed in the possession of that part of the province, might be more easily reconciled to the loss of the remainder. There is reason to believe that the natural features of the country would fall in with this arrangement, which would place the western slope of the Pass of Kirrind and all the low country to the west of the mountains in the possession of Turkey.

(Map B. The proposed line of division is marked yellow. It is intended by this arrangement that the town of Zohab, Ser-Pul-Zohab, and the plains of Bajilan should be ceded to Turkey.)

Indemnities.

But if Turkey be called upon to relinquish a part of her presumptive right for the convenience of Persia, it is not unreasonable to expect that Persia should be prepared to make a corresponding sacrifice on her part, and the means of accomplishing this act of justice can only be found in her pecuniary claims. Already the British and Russian representatives at Constantinople and Tehran have urged the Persian Government not only to make a considerable reduction of these claims, but even to abandon them altogether, and the final intentions of the Court of Persia may be collected with sufficient clearness from the language which it used in reply. We learn from the reports of the British chargé d'affaires at Tehran that the Prime Minister on one occasion went the length of expressing his readiness even to forego, conditionally, the whole of the pecuniary claims, and that he subsequently professed the same disposition, provided the sacrifice were compensated in territory. The mediating Powers being thus let into the views of the Persian Government, and satisfied of the great exaggeration of its pecuniary claims, need hardly shrink from suggesting the propriety of their entire relinquishment. An impartial statement of the facts, as they have hitherto been produced, does in truth go far to prove that the indemnities

Sir Stratford Canning to Colonel Sheil, March 24, 1843.*

Colonel Sheil to Sir Stratford Canning, March 21 and 29, 1843.*

Colonel Sheil to Sir Stratford Canning, March 29, 1843.*

Colonel Sheil to Sir Stratford Canning, August 15, 1843.*

* Not printed.

demanded for the destruction of Persian property at Mohammerah are the only substantial claims advanced by Persia. Depredations have long been committed with impunity by the inhabitants of the frontiers, and it is probable that if further enquiries were made it would be found that the Turkish Government would be no less entitled than Persia to complain of the destruction of the property of its subjects by the border tribes. As the two Governments can hardly deny their inability to control the wild inhabitants of their respective borders, it would be better for both of them to prevent future depredations by concerting measures for the more effectual government of the tribes than to insist upon compensation for past grievances.

Colonel Farrant to Sir Stratford Canning, September 20, 1843.*

It appears, in conclusion, that no pecuniary claim for which the district of Darna would not be a full equivalent is at all likely to be substantiated by Persia; and even if the cession of that district were deemed insufficient, the Porte might fairly plead the relinquishment of its claims for the plunder of Sulcimanieh. It has been already proposed to refer the indemnities demanded for private injuries to the justice of the Porte itself after the conclusion of a treaty; but the simultaneous appointment of a special commission to examine and report upon their merits might, perhaps, be required to satisfy the Persian Government.

Pasturage Dues.

With respect to the settlement of the arrears of pasturage dues no great difficulty can be anticipated, considering the apparent smallness of the amount; but a convenient substitute might perhaps be found in permitting the Persian tribes, which now pasture their flocks in the province of Zohab, to continue in the enjoyment of this privilege for a certain number of years free of charge.

Religious Concessions suggested.

Before quitting this part of the subject it may be observed that as the proposed arrangement, however equitable in itself and even necessary, is calculated to disappoint the hopes of Persia, and to expose its Government to popular dissatisfaction, the mediating Powers might largely contribute to the removal of this disadvantage by persuading the Porte to make some concessions on the religious points brought forward at Erzeroum, and more particularly for the protection and benefit of Persian pilgrims repairing to the holy shrines in Turkey.

* Not printed

Frontier Tribes and Commerce.

Frontier Tribes and Commerce.

Having thus described what appears to be the only practicable plan of settling the claims arising out of past grievances it remains to determine in what manner the questions of the frontier tribes and commerce may best be regulated with a view to future tranquillity and the establishment of a permanent good understanding between the two negotiating Powers.

Frontier Tribes.

The frontiers of the two Empires, except to the south of Bagdad, are occupied entirely by Kurdish tribes, which, without any fixed settlements, resort for pasturage, as the seasons vary, in the mountains and plains of Turkey or Persia. The chiefs of these tribes seldom recognise the authority of either Government, and live by the plunder of travellers and other depredations. There is too much reason to believe that these tribes have frequently been encouraged in such aggressions, and that when differences have arisen between the two Powers they have been urged to the commission of hostile acts upon their respective subjects.

Both parties have signified their readiness to take measures for the repression of such aggressions; but well-concerted and systematic efforts are required to effect that change in the habits and character of the nomad tribes without which it is vain to look for the establishment of tranquillity and good order. By inducing the two Governments to unite cordially for this purpose the mediating Powers will lay a solid foundation for the introduction of agriculture and commerce amongst men who, naturally averse to fixed habitations, have hitherto been solely engaged in rapine and war. By such means alone can the regular authority of Turkey and Persia be established over a fierce and lawless population. By such alone can military strength and revenue be obtained from those who have hitherto been formidable enemies rather than useful subjects.

Suggestion for the Government of the Frontier Tribes.

Instructions from Sir Stratford Canning to the British Commissioners at Erzeroum, January 13, 1843 (enclosed in despatch No. 23 of 1843).*

Particular suggestions for the management of the frontier tribes may safely to left to the Boundary Commission, aided by local observation. Of the general principles to be inserted in the treaty, the following appear to be the most important:—

* Not printed.

Military Stations.

1. To establish along the frontier military stations, occupied by regular troops, sufficiently protected, and ready to co-operate for mutual assistance;

Mutual Responsibility.

2. To acknowledge the responsibility of each Government for acts of aggression committed by its tribes upon the territories of its neighbour, and to hold the chiefs individually responsible for any such acts committed by members of their respective tribes;

Punishment of Offenders.

3. To engage for the immediate punishment of all offences by the Government whose subjects the offenders may be, and to combine the efforts of both Governments for that purpose when necessary; and

Surrender of Fugitives.

4. To provide for the mutual surrender of fugitives.

Conciliatory Measures proposed.

Supplemental measures of a milder character might be made to operate as inducements to settlement and agriculture. A temporary exemption for settlers from the payment of taxes, and also a promise that when troops were called in for the infliction of punishment the villages should be exempted, would doubtless be valued as privileges of high importance. The assessment of a moderate tribute to be collected with regularity, the announcement of a general amnesty for past misconduct, and a full explanation of the future intentions of the two Governments, conveyed through the Boundary Commission to the chiefs of the respective tribes, might also be recommended as tending powerfully to promote the great objects of the pending negotiation.

As a preliminary to the general settlement, the two Powers would do well to acknowledge the right of the tribes mutually claimed to choose their future place of residence.

Plan of Compromise (Commerce).

Commercial Regulations.

The minor grievances and claims of Persia, relating to private injuries, to the extradition of fugitives, and to privileges requested on behalf of Persian subjects in Turkey, present no real obstacle to the re-establishment of a good understanding between the two Governments. The means of adjustment are in these cases so

obvious that it was thought more convenient to suggest them after the statement of each separate point. But the commercial question being of a more important and complicated nature, the mode of arrangement which appears preferable is here brought under view in a distinct shape. The trade between Persia and Turkey is at present almost exclusively carried on by Persian merchants. The imports into Persia consist chiefly of European goods, and the returns from that country are Persian manufactures and produce exported for consumption both in Turkey and in Europe. Consequently, the Persian Government insists upon retaining the present rate of duties, amounting to 4 per cent., at the same time it claims exemption from the effect of monopolies and the imposition of internal duties. The Porte proposes that Persia should accede to the convention of Balta-Liman. By accepting this proposal it is more than probable that Persia would avoid the recurrence of those vexations of which, on behalf of her subjects, she now so loudly complains; but should the Persian Government persist in its former opinion, the mediating Powers can only advise—what the Porte is already willing to adopt—a specific article in the new treaty declaring that the commercial stipulations and tariff of the Treaty of Erzeroum shall remain in force until the accession of Persia to the Convention of Balta-Liman shall take place. But in that case it will be necessary to define and settle the precise meaning of those stipulations, which have been warmly disputed in the conferences. The claim of Persia to be exempted from monopolies and internal duties would seem to rest on nearly similar grounds to those on which the commercial relations of England and other European Powers with Turkey were founded prior to the year 1838.

Adjustment proposed.

Memorandum addressed by Mouctar Effendi to the English and Russian Representatives at the Porte (enclosed in despatch No. 136 of 1843).*

(Reports of 15th, 16th, and 17th Conferences.)

Conclusion.

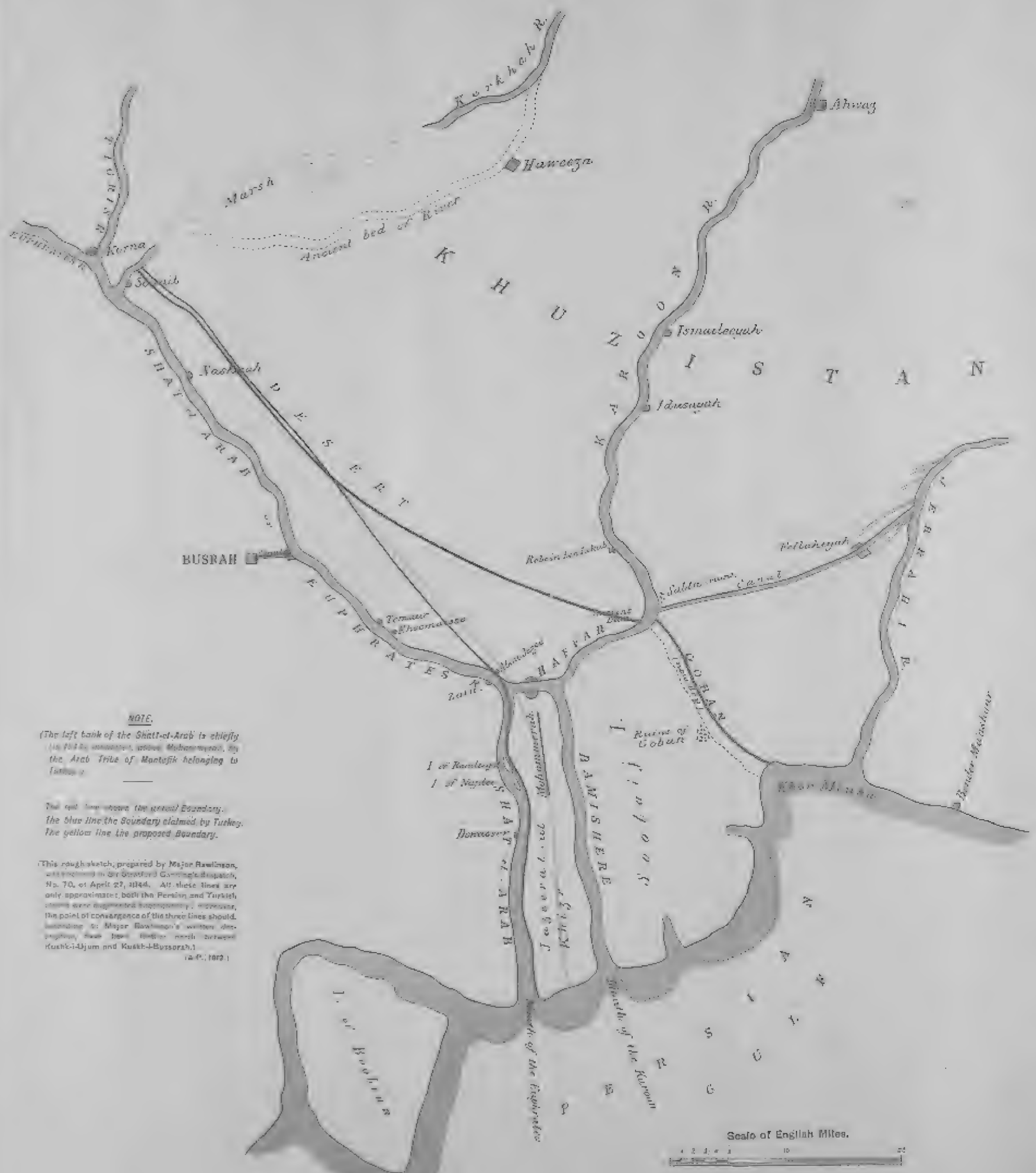
Conclusion

It results from the whole of what is here submitted that, although great and unavoidable difficulties have accompanied the negotiations at Erzeroum, the solution of those difficulties may yet be effected without prejudice to the real interests of the parties and without any sacrifice of national honour on either side; nor can it be doubted that by obtaining the adoption of a decision, founded on comprehensive and impartial

* Not printed.

considerations, the mediating Powers will confer a lasting benefit upon the two Mahommedan Empires and complete a work of benevolence with which the peace of the Eastern world is intimately connected.

MAP A.



NOTE.

(The left bank of the Shatt-el-Arab is chiefly in the possession, about Mohammerah, by the Arab Tribe of Montefik belonging to Turkey.)

The red line shows the present Boundary.
The blue line the Boundary claimed by Turkey.
The yellow line the proposed Boundary.

(This rough sketch, prepared by Major Rawlinson, was enclosed in Sir Stratford Canning's despatch, No. 70, of April 27, 1844. All these lines are only approximate; both the Persian and Turkish claims were augmented subsequently. Moreover, the point of convergence of the three lines should, according to Major Rawlinson's written description, have been further north between Kushk-i-Ujum and Kushk-i-Bussorah.)

(A.P., 1872.)

MAP B.

DISTRICT OF ZOHAB.

NOTE.
The blue line marks the actual Boundary
The red line the Boundary claimed by Turkey
The yellow line the proposed Boundary

MAP C.

ZOHAB, MOHAMMERAH &c.

GENERAL MAP.

No. 3.

Colonel Sheil to Lord Aberdeen.

(No. 56.)

Tehran, May 14, 1844.

My Lord,

THE state of my health having lately rendered me incapable of much exertion, I requested Mr. Thomson to draw up such observations as might appear to him applicable, founded on the conferences at Erzeroum, with regard to the conflicting claims of Persia and Turkey to Mohammerah. I have the honour to enclose these remarks, which I hope will be found of use in elucidating that question.

I beg leave to offer here some remarks, which would perhaps have been more appropriate at an earlier period, on the firmans, letters patent, and other documents produced at the conferences at Erzeroum by the Turkish Government in support of its pretensions to Mohammerah, Zohab, and other places now held by Persia.

At the eleventh conference Enveri Effendi, in recapitulating the territorial claims of the Porte, advanced a claim to Maku, a town and district in the Persian dominions within a few miles of Bayazid. At the twelth conference he produced a letter patent of Sultan Ahmed III conferring the district of Maku, "situated in the province of Rawaun" (Erivan), as it is stated in the grant, with the fortress of Maku, on a certain person. This document is dated in the year of the Hegira 1139 (about A.D. 1727).

In the year 1724, during the Afghan invasion of Persia, when the kingdom was in a most miserable condition, and when the Porte was in possession of Tabreez, and even at one time of Kazvin, a Turkish army entered the province of Erivan, of which it took possession. In the year 1735 the Turks were expelled by Nadir Shah from this province. In 1746 the treaty between Nadir Shah and the Porte was concluded.

The claim of Turkey, therefore, to Maku has seemingly no foundation, as it is based on a temporary occupation during war, and therefore the document in question can, apparently, hardly be esteemed of any value. The inference I would draw from this is, that as the Turkish Government has suffered itself to put forward a claim to territory founded on a document really worthless, it has thrown more or less discredit on the value of the other similar documents exhibited in favour of its claims to Mohammerah, Zohab, and other places; the firmans and letters patent relating to those places may have been promulgated under corresponding circumstances. The two letters patent regarding Zohab produced by the Turkish plenipotentiary at the fourteenth conference were issued by the same Sultan Ahmed III some years previously to the Afghan invasion; and one of the firmans relative to Mohammerah is dated in 1756 [? 1757], after the death of Nadir Shah, and previously to the accession of Kerrim Khan, Zend, during which interval Persia was in a state of the utmost confusion.

My information on the present occasion is derived from Hanway's "History of Persia."

I have, &c.

JUSTIN SHEIL.

Enclosure 1 in No. 3.

Remarks on the Question of the Right to Mohammerah.

(Memorandum by Mr. Taylour Thomson.)

From the evidence produced at the conferences of Erzeroum by the plenipotentiaries of the Turkish and Persian Governments, it would appear that the former Government founded its claim to Mohammerah and its dependencies on three grounds:

1. On the right acquired by a treaty concluded in 1049 of the Hegira (A.D. 1639), between Sultan Murad IV and Shah Sefi, which was renewed on two subsequent occasions in the years 1746 and 1822 (A.D.).
2. On the evidence of a number of documents from the Government registers of Bussorah, conferring lands, situated in the district in question, to various individuals.
3. On the River Karun being the boundary.

Persia being in actual occupation of the country, and having had possession for a considerable length of time, seems to found her claims chiefly on that plea, and on the geographical position of Mohammerah, with reference to its lands being irrigated by a river belonging to the province of Fars.

1. Regarding the treaty of Sultan Murad and Shah Sefi.

At the sixth conference Enveri Effendi produced a copy of the ratification of the treaty of Sultan Murad;* but it would appear that no original of that treaty is now in the possession of either of the two Governments. The Turkish plenipotentiary, however, endeavours to prove, in the absence of the original, the authenticity of his copy of the ratification from its coincidence with the articles of that treaty, contained in several works printed at Constantinople at a later date. The Persian plenipotentiary, however, denies that any copy of the ratification produced from the archives of the Turkish Government ought to be viewed as a legal document, upon which a right of territory can be founded, and that nothing but the original ratification by Shah Sefi could be accepted as sufficient evidence of the right of Turkey. He at the same time produces, as a counterpoise to the evidence of the works quoted by Enveri Effendi, another Turkish work of some celebrity, which was also published at Constantinople under the censorship of the Porte, in which a different version of the treaty is given, and which is much more favourable to the pretensions of Persia. Neither of these works, however, appear to have any legal weight, and even if the copy of the ratification produced by Enveri Effendi were to be adopted as a guide, little information would be obtained therefrom, at least in regard to a definition of the line of frontier between the provinces of Bussorah and Fars, as the allusion to that frontier is extremely vague. It is stated "and besides the above-mentioned articles, Akhiska and Kars, and Van and Shehr-i-Zur, and Bagdad and Bussorah and all forts and habitations, districts and lands, plains and deserts, hills and mountains, within their limits shall not be disturbed by the other party" (Persia). In this, no points of demarcation are given, and that question is still as unsettled as if no allusion whatever were made to it.

It will therefore be necessary to take into consideration what weight is to be attached to the various documents from the Government registers of Bussorah. These documents are chiefly grants of lands by the Turkish Government to various individuals, and bear dates extending for a period of 110 years. It is probable that these documents are authentic, and were actually issued at the time they purport to have been. The last of these is dated in 1756 [? 1757], and as none of a later date appear to have been produced by Enveri Effendi, it may be inferred that no grants had been made by the Turkish authorities of lands after that date. It is perhaps not unworthy of remark that of all the documents produced only two appear to have reference to the Island of Mohammerah, Misene, or Durra. One of these is dated in 1756, in the reign of Sultan Osman II, granting three villages, which are described as dependent on Durra, but which three villages are situated upon the right or western bank of the Shatt-el-Arab. The other is dated 212 years since, and refers to a grant of Faikhub-el-Maharzi, situated on the right or western bank of the Bamishere of Colonel Williams' map. It may therefore be inferred from this paucity of grants of land on the island of Mohammerah itself that at that period the island was in so desert and uncultivated a condition as to be of little or no value. From these documents it must

* Confidential 10007, No. 2.

be granted that at that time Turkey did hold possession of a portion of the disputed territory. But Enveri Effendi not only claims the territory of Mohammerah, but also the tribe of Chaab which inhabits it. There would appear to be little doubt that this tribe did at a former period occupy the lands of Wasit, situated between the Rivers Euphrates and Tigris near their confluence, and this locality is undoubtedly the property of the Turkish Government. But it is equally certain that tribe emigrated from Wasit and established itself at Goban 164 years ago. This place is situated on the left or eastern bank of the Goban branch of the River Karun, and Enveri Effendi claims this place as Turkish territory on the plea that the Karun is the boundary between the two Governments. Now this being not only admitted, but stated by Enveri Effendi, on more than one occasion, to be the boundary, it will be proper to investigate the validity of his assertion that Goban is in the Turkish territory. It is, I think, undeniable that all water flowing from the Karun is the Karun, and in the geographical memoir of Macdonald Kinneir there is the following passage:—

"The remainder of the water of the Karun enters the Shatt-el-Arab through an artificial cut 3 miles in length. This artificial cut I must once more declare is the only communication which the Shatt-el-Arab has with the six eastern channels, and as the waters of the Karun constantly flow through it into that river—not those of the Shatt-el-Arab into the Karun—it is plain that neither the Bamishere nor the other 'khores' (streams) are derived from the combined stream of the Euphrates and Tigris, which on approaching the Gulf receives the name of the Cossisa Bouny."

The artificial cut here alluded to is 3 miles in length and 150 yards in breadth, the period at which this canal or cut, as it is there termed, was excavated is lost in antiquity, so that it must in every respect be considered as a natural mouth of the Karun. From this it follows that the western branch of the waters of the Karun is equally entitled with the eastern branch to the appellation of the Karun, and, even if that branch which discharges the largest body of water were to be viewed as the Karun in preference to all others, the Bamishere would then be the true Karun, as in the work above quoted, it is expressly stated, that the largest quantity of the water of the Karun is discharged by that channel, but the Bamishere is to the west of the Goban branch, which latter would consequently be Persian territory, and as it has been previously shown that that branch of the river was occupied by the tribe of Chaab 164 years ago, then that tribe has been settled in Persia for that period of time. But the former proposition seems to be the more correct one, and the Karun being stated by Enveri Effendi to be the boundary, it may be concluded that a simple definition of this nature being insufficient, it is a question open to discussion which of the numerous branches of the Karun is the one to be adopted.

Having established thus much, it will now be advisable to investigate more minutely the claim of Turkey as founded upon the documents from the archives of the Bussorah Government. The earliest of these is dated 212 years ago, and it appears to have been issued immediately after the recapture of Bagdad from Persia by Sultan Murad IV, previous to which time the provinces of Bussorah and Bagdad seem to have been held alternately for various periods of time by either Government. This last conquest of Bagdad from Persia took place in the year 1638, but it would appear that the sovereignty of Turkey, then, and for a considerable period subsequently, although acknowledged by the province of Bussorah, was not very firmly established; in short, that it was more nominal than real; for, in the work of Ryeant, secretary to the English Embassy at Constantinople, published in London in the year 1668, at p. 55, in a list of the Governments forming portions of the Turkish dominions, there is the following statement:—

"In the Government also of Bussorah on the confines of Persia, a maritime city, in the Sinus Persicus, near Byblis in Phœnicia, were reckoned twenty-six sanjaks (districts) but now not held by the Turk, who hath no power there, nor benefit thence, excepting only that prayers are made constantly for the Sultan."

Such was the state of the Province of Bussorah in 1668, but in Major Rawlinson's memorandum on Mohammerah* it is stated that the tribe of Chaab migrated from the lands in the vicinity of Korna to Mohammerah, and settled themselves in the year 1680, or twelve years later at Goban, situated on the eastern bank of the Goban branch

* Enclosure in No. 1, p. 3.

of the Karun, and made payments in kind to the Afshar Chief of Durak or Fellahiah, which place is unquestionably in the Persian dominions. Such appears to have been the position of the Chaab tribe for a space of nearly eight years, during which time it gained largely in numbers and wealth. About the year 1760, however, the power of this tribe had increased so much that under its chief Sheikh Selman it drove the Persian tribe of Afshar from Durak or Fellahiah and also extended its government to Mohammerah, Haffar, and Tamar. Up to this period the connection between the Government of Bussorah and the Chaab seems to have been of a neutral character; but the Chaab tribe having crossed the Shatt-el-Arab, and taken possession of the lands of Dowasir, the Government of Bussorah, in order to preserve its independence was obliged to have recourse to arms; an action was fought in 1765 between the two naval forces, in which the Turks were worsted. With reference to this event Major Rawlinson says: "The emancipation of the tribe from any further political dependency upon Bussorah may be regarded as the actual and legitimate issue of the contest"; and again he expresses his opinion in the following words:—

"To me I confess it appears that at the time of Sheikh Selman's decease, and ever since, the Chaab have been virtually independent of Bussorah, and that the notion of the indefeasibility of their allegiance to Turkey is an invention of late years brought forward as a counterpoise to the claims of Persia upon Mohammerah."

The same view of the independence of the Chaab tribe with regard to Turkey is also taken by Sir John Macdonald Kinneir, as appears in the following extract from his work produced by Enveri Effendi in the ninth conference:—

"The island or delta between the Shatt-el-Arab and Bamishere (the ancient Mesene) was formerly included in the Pashalik of Bagdad, but having been conquered by Sheikh Soliman from the Turks has remained in the possession of his successors."

It having now been deduced that there is at least equally strong evidence in favour of the territorial right of Persia to Mohammerah as there is for Turkey, and that the tribe of Chaab, though originally located in the Turkish territory, had effected its independence of that power by force of arms, and had naturalised itself as a Persian tribe by a long residence in its territories, a view of the more recent events may now be taken.

In the year 1837, while the Shah, with almost the entire military force of the kingdom was absent at the siege of Herat, Ali Reza Pasha, then Governor of Bagdad, proceeded with a considerable force against Mohammerah, which he utterly destroyed.

The Persian Government seems to have lost no time in demanding reparation from Turkey for this breach of the friendly relations then subsisting between the two Governments, and indemnity for the losses its mercantile and other subjects had sustained, while it again dispatched a military force to occupy the town of Mohammerah. In regard to the attack of Ali Reza Pasha, Enveri Effendi asserts that as both the district and the tribe which inhabited it belonged to Turkey, she had the right to punish her subjects in any way she judged expedient, and that Ali Reza Pasha had informed not only the Persian frontier authorities, but also the inhabitants of the town of his intention to attack the place. Mirza Takki, on the other hand, denies that either the territory or the tribe belongs to Turkey, and doubts whether any information had been given to the Persian frontier authorities, and asserts that, even if there had, the Pasha ought to have acquainted the Persian Government of his intended attack, and if the reply of the Persian Government had not been deemed satisfactory by him, his course would then have been to refer the matter for the decision of his own Government and await its instructions. From a document produced by Mirza Takki at the eighth conference it seems doubtful whether Ali Reza Pasha had actually informed the Persian frontier authorities previous to his undertaking the expedition; for, in that document which is a firman issued by the Sultan, in consequence of the complaints of Persia in regard to Mohammerah, notified by Her Majesty's Ambassador at the Porte, it is said, "with the preamble that the troops which thou, the said Governor, didst send some time since to punish the tribes of Beni Lam and Munteflk who inhabit the environs of Bagdad, did make an incursion towards the seaport town of Mohammerah, situated in the place called Shatt-el-Arab, which is one of the dependencies of Fars, and the inhabitants thereof not having the permission of his (? their) Government to fight with the said troops, no resistance was made by them, and therefore the said seaport town was taken

and laid waste contrary to treaty," and it might be inferred that the Pasha had masked his intentions of proceeding against Mohammerah, for the troops were ostensibly dispatched for the purpose of punishing the Arab tribes inhabiting the district to the south of Bagdad. Be this, however, as it may, the remark made by Mirza Takki seems to be founded in justice, that considering the actual occupation of Mohammerah by Persia, and her having had possession of the district for so considerable a length of time, Turkey ought not to have proceeded against that town before having had recourse to negotiation for the establishment of her claims. But in the above firman there is another circumstance worthy of consideration: the Porte does not appear to have had at that time any definite idea of the territory in question, or the tribe of Chaab being dependent upon it. It appears that so long a period had elapsed in which the Chaab tribe had been considered independent of the Porte, that its Ministers not only were not aware that it was included in its dominion, but they even state "that it is one of the dependencies of Fars." In order to do away with the effect of this document, Enveri Effendi says that it is merely a firman issued in order to obtain information on the subject; but it is clear that this assertion is merely an attempt on the part of Enveri Effendi to rescue his Government from the dilemma of having made an admission which would be viewed as prejudicial to the claim it now asserts; there is no doubt if Persia had claimed Erzeroum or even Bayazid the Porte, if it even consented to listen to the pretension, would have replied explicitly and at once that Persia had no claim whatever upon it.

Under these circumstances, the next question which presents itself is, was the Turkish Government, or rather its servant (for it is clear from the contents of the firman above referred to, the Porte had not instructed the Pasha of Bagdad to attack Mohammerah), authorised to proceed against that place, or was it not rather a case in which the settlement ought to have been made through negotiation. The latter seems undoubtedly the course which ought to have been adopted, for even if ninety years, or perhaps more correctly one hundred and sixty years', rule over a people or district, should not as a general principle be considered sufficient to establish the right to that place or district, it may at all events be considered a sufficient reason why the district should not be attacked by another Government, under the plea of its right of sovereignty, previous to a demand of restitution having been made, and the question discussed between the Government claiming, and the other in actual possession of the territory. But in eastern countries the possession for a long succession of years, of a frontier district not specially defined by treaty, and over which the sovereignty of the previous holder was for many centuries more nominal than real, may without injustice be considered to confer a good and valid title to the district, and that any forcible aggression upon that district, should be viewed in the same light, and subject to the same penalties, as if it were made upon any other portion of its dominions; and as this appears to have been the case in the instance of Mohammerah, that Persia has a right to demand indemnity from the Porte for any losses which she may be able to prove her subjects to have sustained.

If it be said that Mohammerah being on the northern bank of the Haffar, it therefore belongs to Turkey, the inference does not appear to be conclusive; for Turkey herself had only gained those districts originally by conquest from Persia, and the Chaab tribe having gained possession of them in the same manner, the districts occupied by its people thereby again became Persian, the Persian supremacy having been acknowledged, and its flag borne by the Chaab for a long series of years.

But as the object is to come to such an arrangement as to prevent a repetition in future of the complaints of aggression which have been made both on the part of Persia and Turkey, it will be necessary, as the treaty now existing does not define the boundary line of this frontier with sufficient precision, to consider the question of what ought to be adopted as the line of demarcation henceforward between the provinces of Bussorah and Fars. The Haffar seems to be unsuitable for the purpose for several reasons, the chief of which is, that as that stream is admirably situated for commercial purposes, and its merits as an *entrepôt* for merchandise have already been appreciated, and as the lands in its vicinity are rich and capable of raising sufficient agricultural produce for a large population, the opposite banks, which are only 150 yards apart, would be chosen sooner or later as sites for rival towns, and occupied by people in all probability belonging to the same tribe, but under different Governments. This would give to constant jealousies and intrigues, and recourse would soon be had to aggression on the one side, and retaliation on the other, a state of matters which would not fail eventually to embroil the two Governments. It would therefore be desirable that the whole tribe should be placed under the authority of one or other of

the Governments, but as Persia appears to be entitled to some indemnity for the losses which her subjects suffered at the capture of the city, and has had for so long a time undoubted authority over three-fourths of the numbers of the tribe, it would probably be more expedient that she should be recompensed by a portion of additional land, rather than by a pecuniary grant, which Turkey can ill afford, as it would throw the entire body of the tribe of Chaab into the hands of Persia, and would give additional security for the integrity of the frontier line.

If therefore a line of demarcation were drawn on this principle, the Chaab tribe would only have the Persian Government to look to, and there would be, not only no repetition of the vexatious questions between the two Governments, but it would also tend to prevent the recurrence of the numerous feuds and family quarrels which have so frequently, for some time past, occurred between the chief members of the tribe.

If these questions be well-founded it would then appear advisable, that the frontier line should be made to proceed from some point on the eastern bank of the Shatt-el-Arab to the north of the Haffar, and running from thence inland to some point in the unquestioned Persian territory, thereby embracing the district now occupied by the Chaab tribe. An examination on the spot by competent persons would probably be necessary for the accurate fulfilment of this object.

In the preceding remarks I have endeavoured to show :—

1. That Turkey had finally acquired the sovereignty of Bagdad with its dependent Government of Bussorah from Persia by conquest in the year 1638.

2. That the sovereignty of Turkey in the province of Bussorah, though acknowledged, was for a considerable period subsequent to that event of a very limited nature.

3. That although the Chaab tribe had originally inhabited the district of Wasit, in the Turkish dominion, it had emigrated from that locality about 164 years ago, and had settled itself at Goban, where it had paid a tributary acknowledgment to the Persian tribe of Afshar.

4. That independent of this being an evidence of its having viewed the Persian monarch as its Sovereign, from the assertion made by Enveri Effendi that the River Karun is the boundary between the two States, the territorial right to Goban was at all events a dubious right on the part of the Porte, if it did not furnish Persia with stronger pretentions to it.

5. That the further emigration of the Chaab tribe to Fellahiah above eighty years ago gave Persia the right to consider it as a Persian tribe, if it had not been so by its establishment at Goban.

6. That in as far as Turkey was concerned, the Chaab tribe had at the same period acquired its complete independence by the action fought with the Turkish flotilla at the mouth of the Karun, and preserved that independence up to the present time.

7. That the district of Mohammerah was previous to its occupation by the Chaab tribe, of little or no value, but since that period it had not only become, through the energy of that tribe, a rich and populous district, but had also become the site of a wealthy and prosperous commercial town.

8. That the Chaab tribe had acknowledged itself dependent on the Persian Government by carrying its flag uninterruptedly from the reign of Kerrim Khan, Zend, to the present time.

9. That under these circumstances, the district of Mohammerah had in fact become Persian, if it did not belong to her originally; the Porte having allowed itself to lose any rights it might have possessed by what may apparently without injustice be called prescription.

10. That in this posture of affairs, with a doubtful primitive claim to the district of Mohammerah, still further weakened by long possession on the part of Persia, the Pasha of Bagdad, had, without giving any intimation to the Persian Government, attacked the town and completely destroyed it.

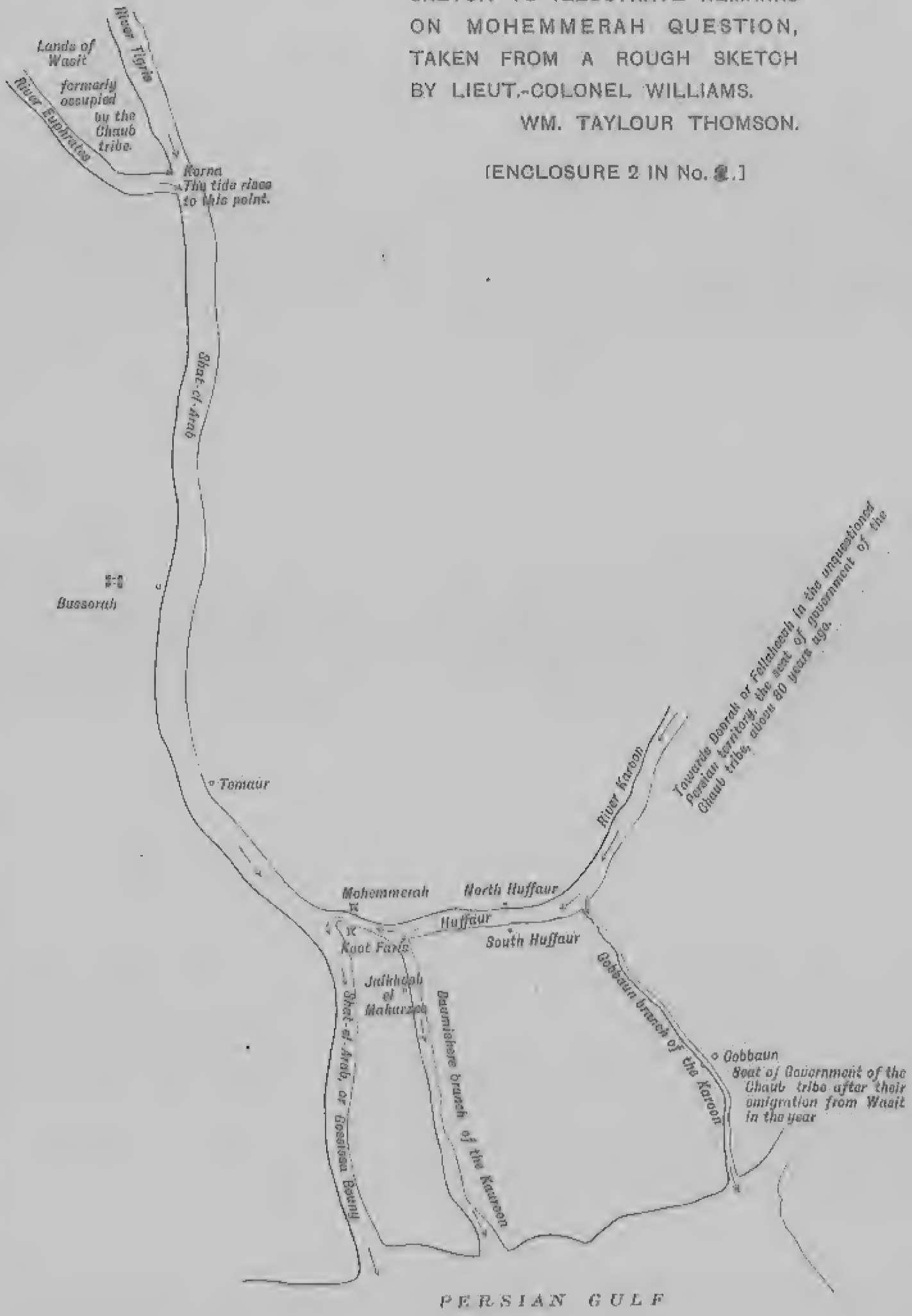
11. That therefore Persia would seem to be entitled to compensation from the Turkish Government for any losses which her subjects had sustained from the attack of the Pasha of Bagdad.

WM. TAYLOUR THOMSON.

SKETCH TO ILLUSTRATE REMARKS ON MOHEMMERAH QUESTION, TAKEN FROM A ROUGH SKETCH BY LIEUT.-COLONEL WILLIAMS.

WM. TAYLOUR THOMSON.

[ENCLOSURE 2 IN No. 2.]



(100.8/12.2001) FO 486

No. 4.

Lord Aberdeen to Sir Stratford Canning.

(No. 102.)

Foreign Office, July 2, 1844.

Sir,

HER Majesty's Government are glad to perceive from your Excellency's despatch No. 113, and from Lieutenant-Colonel Sheil's despatch No. 47,* that the Turkish and Persian Governments appear both inclined to abstain from any precipitate measures which would render the ultimate accommodation of their differences without hostilities a matter of serious difficulty.

I have allowed Baron Brunnow to peruse your Excellency's report on the negotiation, enclosed in your despatch No. 70† of the 27th April, and I propose to take advantage of Count Nesselrode's presence in this country in the course of next month, in order to come to an understanding with his Excellency as to the course which the two Governments should pursue with a view to bring about a settlement of the questions on which the Courts of Constantinople and of Tehran are at issue.

* Not printed.

† No. 2, p. 25.

No. 5.

Sir Stratford Canning to Lord Aberdeen.—(*Received July* 23.)

(No. 135.)

Buyukdery, July 2, 1844.

My Lord,

THE copies, enclosed herewith, of an instruction addressed by the Russian envoy and myself to our respective interpreters for joint communication to Rifaat Pasha, and of their report of his Excellency's answer, will convey to your Lordship the only information of any interest which I have to communicate on the present occasion respecting the pending negotiations between Turkey and Persia.

I have forwarded copies of these papers, with some few words of explanation, to Her Majesty's chargé d'affaires at Tehran, and to the British commission at Erzeroum.

Upon the whole, my Lord, I venture to rely upon the sincerity of those pacific intentions which have been declared by the Turkish council, less frankly indeed and formally than by the Court of Persia, but still with sufficient distinctness to remove the suspicion of any unfair reservation.

Notwithstanding this persuasion, I cannot look forward without anxiety to the long interval which is likely, in your Lordship's opinion, to elapse before the return of Count Nesselrode to St. Petersburg will enable the Russian Government to take the proposed plan of settlement into serious and conclusive consideration. I am led to hope that the Russian Minister has not so completely detached himself from application to public business during his stay in Germany as to be inaccessible to any communication which your Lordship may be pleased to address to him; and, should this be indeed the case, a hazardous delay of three or four months might perhaps be avoided without any want of that respectful deference which is due to so distinguished a statesman.

It only remains for me, at present, to solicit your Lordship's attention to the accompanying copy of a letter addressed to me by Colonel Williams. Your Lordship will remark, on perusing it, the opinion entertained by that officer with respect to the plan of arrangement which I have ventured to submit to Her Majesty's Government.

I have, &c.

STRATFORD CANNING.

Enclosure 1 in No. 5.

Sir Stratford Canning to Mr. Pisani, Embassy Interpreter.

Buyukdéré, le 16 *juin*, 1844.

Monsieur,

J'ai pris connaissance du rapport par lequel vous m'avez rendu compte de la réponse que son Excellence Rifaat Pacha vous a donnée, ainsi qu'à votre collègue de Russie, concernant les intentions de la Sublime Porte dans la poursuite de ses négociations avec le Gouvernement persan.

Nous aimons à croire, M. l'envoyé de Russie et moi, que son Excellence n'aura pas manqué à donner à Enveri Effendi les instructions requises afin qu'il adopte une conduite plus convenable et plus conciliante soit envers les commissaires médiateurs, soit envers son collègue persan. Persuadés en outre qu'Enveri Effendi a reçu l'ordre d'exprimer formellement aux deux commissaires ses regrets du langage qu'il s'est permis de tenir dans la dix-huitième conférence et qui, nous ne saurions le déguiser, a excité une juste indignation à Londres comme à Saint-Pétersbourg, nous les avons engagé à cultiver avec lui les mêmes relations de bienveillance et de cordialité qu'auparavant.

Pour ce qui est des assurances positives que la Porte vient de nous réitérer par l'organe de M. le Ministre des Affaires Étrangères de ne pas augmenter les troupes sur la frontière, et de s'abstenir de toute entreprise hostile ou inquiétante envers la Perse, nous n'aurions qu'à applaudir, si son Excellence n'y eût ajouté des réserves de nature à jeter quelque incertitude sur les intentions de la Porte quant à la durée des Conférences d'Erzeroum et à la solution mutuellement satisfaisante de ses différends avec la Cour de Téhéran.

Sous ces rapports le langage de Rifaat Pacha ne peut que produire sur l'esprit de nos Cours une impression peu favorable à côté des engagements si complets et si formels que le Cabinet persan a contractés en dernier lieu envers les représentants de la Grande-Bretagne et de la Russie.

En effet, nos deux Cours, animées d'une sollicitude aussi équitable que désintéressée pour le bien réel de la Sublime Porte sont persuadées que les questions qui forment l'objet de ses contestations avec la Perse sont loin de valoir le danger d'une lutte essentiellement impolitique au milieu des travaux d'amélioration intérieure, et des embarras de plus d'un genre qui réclament aujourd'hui l'attention tout entière de la Turquie.

Si le Gouvernement de sa Hautesse est pénétré de ces vérités, s'il a accepté les bons offices de l'Angleterre et de la Russie avec la ferme intention de régler son litige avec la Perse dans les voies d'une négociation pacifique, on ne saurait admettre qu'il voulût prendre pour base de ces négociations un consentement illimité à toutes ses démarches et s'exclure de tout compromis, qui sans préjudice pour son honneur ou ses intérêts matériels pourrait seul offrir le vrai moyen de rendre l'œuvre de la paix mutuellement bienfaisante, et, par conséquent, durable.

Ces réflexions, dont je vous réserve, monsieur, de faire valoir l'ensemble, suffiront, j'espère, pour démontrer à la Sublime Porte la convenance de compléter sa première réponse par une déclaration pleinement analogue à celle que vient d'offrir la Cour de Perse, et qui doit être réciproque pour constituer une garantie du maintien de la tranquillité actuelle, et de l'heureux succès des négociations.

Vous voudrez bien vous acquitter de la présente instruction de concert avec l'interprète russe et en laisser copie chez M. le Ministre des Affaires Étrangères.

STRATFORD CANNING.

Enclosure 2 in No. 5.

Mr. Pisani to Sir Stratford Canning.

M. l'Ambassadeur, *Péra, le 28 juin*, 1844.

J'ai l'honneur d'informer votre Excellence que nous étant, sur l'invitation de Rifaat Pacha, rendus chez lui aujourd'hui, M. le drogman de Russie et moi, pour recevoir la réponse de la Porte sur la question turco-persane, son Excellence nous a fait coucher par écrit sous sa dictée sa réponse, dont la traduction suit :—

"Tant que le Gouvernement persan n'aura pas augmenté ses troupes sur le frontières contre le système observé en temps de paix et qu'il n'aura pas fait des démonstrations militaires, la Sublime Porte, de son côté, n'entreprendra sur les frontières contre les principes de l'amitié, rien qui puisse causer de l'inquiétude. La Sublime Porte ne se désistera d'aucun de ses droits constatés; elle ne demandera aux Persans rien qu'elle n'ait le droit de demander. Telles sont les intentions précises de la Sublime Porte.

"On a envoyé à Enveri Effendi ainsi qu'à Kiamili Pacha les ordres nécessaires pour que la meilleure intelligence règne entre les *mémours* (les plénipotentiaires et les commissaires). Des ordres analogues doivent être envoyés aux commissaires des deux Cours.

"Comme la Sublime Porte désire la paix, si, en dernier résultat, elle trouve qu'elle a obtenu ce qu'elle était en droit de demander, elle recevra avec plaisir le raffermissement de la paix; mais si on lui fait des propositions incompatibles avec ses droits, et si, après avoir prolongé les négociations on ne voit aucun fruit réel de ces négociations, il faut qu'elle soit à la fin en liberté de retirer son plénipotentiaire du centre des conférences."

Rifaat Pacha a fini par nous donner des assurances sur les excellentes intentions du Gouvernement de sa Hautesse.

J'ai, &c.

FRED. PISANI.

Enclosure 3 in No. 5.

Colonel Williams to Sir Stratford Canning.

(No. 38.)

Sir, *Erzeroum, June* 19, 1844.

I HAVE the honour to acknowledge the receipt of a packet of despatches from your Excellency to Lieutenant-Colonel Sheil addressed to me under flying seal, which packet, agreeably to instructions received through Mr. Tod, was immediately forwarded by an extraordinary courier to Tehran.

With reference to one of the enclosures alluded to, in which your Excellency reviews the proceedings of the conferences at Erzeroum, and discloses to Lieutenant-Colonel Sheil the plan which your Excellency has formed for the solution of the difficulties which the investigations in those conferences have exposed, I beg to remark :—

1. That the plans indicated in the margins (as enclosed for reference) were not forwarded from the embassy; but, as I had no difficulty in tracing the proposed line of demarcation in a common map, I conceive that this omission will in no wise inconvenience Colonel Sheil, whose attention has been so frequently drawn to those localities.

2. As your Excellency has been kind enough to lay this document before me, and to direct my attention to it, I take the present opportunity to record the pleasure I felt in its perusal, it being a complete exposition of those views which your Excellency broached to me in general terms some months ago, and on which occasion I expressed my humble opinion that a similar line of compromise was the only one by which these long-pending and irritating international affairs could be arranged.

3. To the proposed line of demarcation between the two countries I cannot see one objection; on the contrary, it embraces all points of mutual concession which can be effected without danger, and avoids those especially relating to the waters of Turkey, which (I was fearful) might have been pressed for by one of the mediating Powers, and which, in my humble opinion, would have been pregnant with much present humiliation for Turkey, as well as future danger to that Empire.

4. I beg also to record my entire assent to all the remaining proposals of compromise as contained in your Excellency's memoirs, as well as my hope that the support necessary to the carrying out this plan may be accorded by Her Majesty's Government as well as by the Russian Cabinet.

I have, &c.

W. F. WILLIAMS.

No. 6.

Colonel Sheil to Lord Aberdeen.—(*Received September* 11.)

(No. 50.)

Tehran, July 12, 1844.

My Lord,

I RECEIVED a few days ago from Her Majesty's Ambassador at the Porte a memorandum, drawn up by his Excellency, on the differences between Persia and Turkey, and the means of adjusting the points in dispute. I have the honour to enclose, for your Lordship's information, some observations I have thought it fair towards this Government to make on some parts of that document.

I have also the honour to enclose a translation of an extract from a Turkish historical work called "Khoold Bereen," which I have received from the Persian Government.

I have, &c.

JUSTIN SHEIL.

Enclosure 1 in No. 6.

Memorandum.

According to the arrangement contemplated by Her Majesty's Ambassador to the Porte, the following appears to be the condition in which Persia will be placed.

She will be deprived of territory which she has possessed many years.

Her frontier will be weakened, and her Government will be humiliated in the eyes of the people.

Her territory long held by her will be transferred to Turkey, on evidence which is considered inadmissible for substantiating similar claims of Persia on Turkey.

In that part of the memorandum headed "Territorial Claims," it is stated that the claims of Persia to Kars, Akhiskha, &c., are considered "highly extravagant" by Her Majesty's chargé d'affaires at Tehran. This is quite correct; the reason being that these claims are founded on no other evidence than certain historical works. It is to be presumed that the territorial pretensions of Turkey, which are based on similar authorities, are entitled to no higher degree of estimation.

Under the head of "Mohammerah," it is stated that "formerly" the Shatt-el-Arab flowed through the channel on which Mohammerah is built, and through which the Karun now flows. There seems to be no proof of this. Major Rawlinson indeed *infers* that at a very remote period such was the case, but Macdonald Kinneir* considers that in all probability the Shatt never had any other mouth than the present one.

It may apparently be safely averred that the Haffar and Bamishere are the principal and true mouths of the Karun, and have been for a length of time, unless when by artificial means, such as the construction of a dam, the water of the Karun has been drawn into the otherwise dry channel of the Goban. The evidence is in favour of this opinion. Upwards of 600 years ago the Bamishere is described† as the outlet of the Karun; Macdonald Kinneir considers it the main stream of that river,* and we know that for a long succession of years it is only by means of an artificial obstruction that it can be prevented from enjoying the same pre-eminence.

If this assumption be correct, it will follow that the country between the Haffar and Bamishere and the Goban belongs to Persia. This is a sequel to the principle laid down by Her Majesty's Ambassador that the territory watered by a river belongs to the country in which it rises; and the same result will follow from considering the Karun as the boundary of the two nations, as maintained by Turkey.

It is true Turkey has some documentary evidence in support of her claim on the Goban. But, admitting their authenticity, they are very remote, and if they prove that she at one time exercised authority, legitimately or otherwise,

* Geographical memoir, p. 292.

† Major Rawlinson's memorandum, Enclosure in No. 1, p. 3.

over that tract, it would appear that she has long resigned it, practically if not formally.

Enveri Effendi has quoted from Macdonald Kinneir: "The island or delta between the Shatt-el-Arab and the Bamishere was formerly in the Pashalik of Bagdad;" from which the inference apparently is that the delta between the Bamishere and the Goban was not within the limits of that Government.

Under the head of "Mohammerah" it is stated that, "Admitting the principle that the lands watered by the river belong to the country in which those rivers severally rise, *if the Goban were the true bed of the Karun*, and the Bamishere a branch of the Euphrates, then half the country between the Goban and the Bamishere would belong to Turkey and half to Persia." But it has been proved both in Sir Stratford Canning's memorandum and in other places that the Goban is not, and that the Bamishere, with the Haffar, is, the true bed of the Karun, and that 600 years ago the Bamishere was recognised as part of the Karun, not of the Euphrates. The memorandum continues, "but *whatever might have been the case about seventy years ago*, it is now an indisputable fact that the Bamishere is formed by the waters of the Karun alone, while the canal on which Mohammerah is situated is also an outlet of that river, and does not receive any part of the waters of the Euphrates. *It will therefore be perceived that the claim to part of the territory on the side of Persia virtually proceeds from a change in the course of the Karun.*"

If I rightly comprehend the last paragraph, it means that the Karun having quitted the Goban and entered the Bamishere and Haffar, Persia has been enabled to claim the latter as her boundary. But surely the premises do not authorise this reasoning. For seventy years the Bamishere has been the main outlet of the Karun, and if for twenty years previously it flowed through the Goban, it was only in consequence of artificial means employed to effect that object, antecedently to which the Bamishere was the main course. This can scarcely be styled a claim to territory in consequence of a change in the course of the Karun. It might apparently be with more justice said that Turkey claimed territory up to the Goban in consequence of an artificial change made in the course of the Karun.

It is difficult to deny that the tribe of Chaab, having emigrated from Turkey and established themselves in Persia 160 years ago, have ceased to be subjects of the Porte, and have become subjects of Persia. Turkey might with almost as much justice maintain a claim to the tribe of Kajar, which with other tribes is said to have come from Turkey some 200 years ago.

Under the head of "Compromise suggested," it is proposed to give Mohammerah and the delta to Persia, not as a right, but as a matter of convenience and expedience. As the *right* is a point of some importance to Persia with regard to indemnities, it may be well to examine if her right is not superior to that of Turkey, in which case the attack of the latter Government can scarcely fail to be considered as an extreme aggression.

The evidence of Sheikh Thamir may be put aside as valueless; and the historical work of El Kamoos may be disposed of in the same manner, for if historical works are admitted on one side they must be equally on the other. It is contended that the payment of some tribute or present by the Chief of Mohammerah to the Pasha of Bagdad, or Governor of Bussorah, was an acknowledgment of territorial right. This might or might not be the case; convenience, expediency, and the vicinity of a powerful neighbour, whom it was useful to conciliate, might easily have been the motives—thus Herat and Candahar make offerings of a somewhat similar nature to Persia.

There remains then the documentary evidence in favour of Turkey. This appears to be limited to three papers, two being of the same date, and the latest a firman issued about 140 years ago. Assuming these to be authentic, though unsupported documents of this description can scarcely be viewed as evidence of much value, it appears that a considerable time ago Turkey was in possession of the land of Mohammerah; so entirely, however, had she lost sight of that circumstance, or cared for the proprietorship, that she issued a firman,* after the sack, declaring it unequivocally to be Persian property—it is true that in a subsequent part of the firman there is some qualification of this admission.

On the other hand, according to "the rule (a somewhat arbitrary one) which has hitherto been" observed, as Major Rawlinson says, that lands watered by rivers belong to the country in which they rise, Persia would have a clear right to

* Produced by Mirza Takki at the 9th Conference

Mohammerah, because the Haffar and the channel on which the town is built are part of the Karun; next, because the town of Mohammerah was built by Persian subjects, if it be admitted that the tribe of Chaab is such; then the acknowledgment of the Porte in the firman above mentioned in favour of the rights of Persia; and, finally, what in the East makes a good tenure of right, many years possession. The argument chiefly in favour of Turkey is that at a remote time she possessed the land, which is not indisputably proved, and this would seem to be an insufficient defence for sacking and slaying the inhabitants and destroying the town, without giving any notice to the Persian Government of her intention to make an attack, and without urging the nature of her claims.

The inference intended to be drawn is that Turkey had no right to attack Mohammerah, and that Persia is not without a claim to indemnity.

If there should be objections to the appropriation of Mohammerah by Persia it is proposed to transfer that town to a Chaab chief; Turkey will, of course, make these objections. In this case it would appear to be in contemplation to make the ruler of Mohammerah independent of both Persia and Turkey. It is to be feared that such a measure would serve to convert that town into an arena for all sorts of intrigue and faction; and, moreover, the principle that the land which is watered by the Karun ought to belong to Persia will be lost sight of, while it is preserved with regard to Turkey, by maintaining for her both banks of the Shatt. It is, moreover, to be considered that Persia and Turkey would both be likely to commit aggressions on Mohammerah; in this case to whom will they be responsible, and by whom will redress be enforced?

Under the head of "Zohab" it is stated:—

"In the extracts of this treaty (Sultan Murad's), produced in the absence of the original by the Turkish and Persian plenipotentiaries respectively, the following frontier places are specified without variation."

From these observations it might be surmised that the Persian plenipotentiary had exhibited a document having some pretensions to authenticity, while the fact is that the version of the portion of the above treaty produced by him consists of nothing more than an extract from a Turkish historical work. He scarcely expected that the portions of that history favourable to Persia should be discarded, while those adverse to her interests should be adopted as authentic.

Under the head of "Compromise proposed," it is stated that the "territorial rights of Turkey being supported by evidence, and even in some instances by treaty," and subsequently, "the question of right as to Zohab has been so far cleared up in favour of Turkey, that the Porte might be excused in requiring the entire and immediate surrender of that province."

It is therefore proposed to transfer the district to Turkey, with the exception of that portion of it called Derna. It is but just to Persia to examine the grounds on which her long possession is to be disregarded, and the reasons on which the above strong opinions in favour of the rights of Turkey rest.

First, there is the evidence of Osman Pasha, whose interests are implicated in the transfer of the district to Turkey, and whose testimony will therefore not possess much weight. Secondly, two firmans issued by a Turkish Sultan relative to parts of the district of Zohab. These documents are both issued in the same year, and are dated no less than 134 years ago. If Turkey reverts to so distant a period to prove rights, there is no reason why Persia should not take a retrospect still more remote. Thirdly, a so-called copy of the treaty of Sultan Murad, said to be taken from the archives in Constantinople. It is presumed that this document has no pretensions to be considered valid, and that Persia will not be made to suffer loss of territory on the evidence of a record so destitute of authority. Finally, the coincidence of two Turkish histories with regard to Zohab, the one being produced by Mirza Takki in support of the claims of Persia to Kars, Van, &c., the other by Enveri Effendi in refutation of these claims.

Although it is not easy to resist the belief that Zohab formerly did really belong to Turkey, the above evidence is scarcely conclusive enough to warrant the resumption of a tract of territory which has been held by Persia for a length of time. It will be difficult to make the Persian Government comprehend the justice of adopting portions of Turkish history unfavourable to it, while those which are disadvantageous to Turkey are rejected. A book of history is not entitled to be considered an authority, but if it be adopted at all, it ought surely not to be in a mode which would convey to one

party an irrepressible feeling of injustice. There are at least three Turkish historical works corroborative of the claims of Persia on Kars, &c.—Jehan Náma, Khoold Bereen, and Naeemau.

It is also proposed by Her Majesty's Ambassador to transfer the pass of Kerrind to Turkey. According to the information procurable here it would appear that Kerrind has from time immemorial been in the possession of Persia. This transfer would inflict a deep blow on the interests and security, as well as on the pride, of the Persian Government; for it would bring Turkey within 60 miles of Kermanshah. It is, moreover, said here, with what degree of accuracy cannot be ascertained, that the district of Zohab begins only at the bridge of Zohab (Pool-e-Zohab), which is upwards of 30 miles from the Pass of Kerrind. If this be true, a considerable tract of Persian territory is to be gratuitously transferred to Turkey.

No map has accompanied Sir Stratford Canning's memorandum, and there are no useful maps of Zohab at Tehran; but it is surmised that Persia is cut off from communication with Derna unless by the Pass of Kerrind, which is to be held by Turkey.

Indemnities.—When they are discussed at the conferences, it is possible the Persian plenipotentiary may be able to furnish information in detail, of which at present there is a deficiency.

In the memorandum of Her Majesty's Ambassador it is proposed to admit the claims of Turkey to compensation for the last attack on Suleimanieh, and to reject those of Persia for the plunder of the vali's camp. Persia and Turkey have been plundering and pillaging each other backwards and forwards for the last ten years, and there seems no sufficient reason for granting compensation for one act of pillage and refusing it for another—at all events, the distinction made is too delicate for the comprehension of the Persian Government, which will never cease to urge that the vali was attacked on Persian soil after he had retired 8 miles from the Turkish frontier.

Tribes.—The future arrangement of tribes appears unexceptionable, excepting that it requires a degree of regularity and system opposed to the habits of Persians, to whom the good or evil of the present hour alone is a matter of care.

It can hardly be the serious intention of the Porte to demand the restoration of the tribe of Chaab, which emigrated 160 years ago.

It would be disadvantageous to Persia to give the Kurdish tribes the option of choosing their future residence. Being Sunnis there might be an inclination to select the Government of Turkey; and one important tribe, Zeehan, which appears to belong really to Persia, has already expressed that desire.

The removal of the wandering Kurds from the frontier would, perhaps, be the only efficacious mode of restoring tranquillity and security on the frontiers. But this from their numbers is scarcely practicable.

It is hoped that the foregoing observations are not out of place, they are made with every deference for the opinion of Her Majesty's Ambassador, but it was considered just towards Persia to urge such points as appeared in her favour. If the deductions which have been drawn are founded upon accurate premises, the *status quo*, as the base of an arrangement, would seem to be more equitable to Persia than the transfer of any territory now in her possession.

Enclosure 2 in No. 6.

Extract from a Turkish Historical Work called "Khoold Bereen."[*]

(Translation.)

It has been agreed that in the province of Bagdad, Sestan, Bedreh, Mendeleji, Derteng, and Derreh shall belong to our King (the Sultan); the places in the plain between Mendeleji and Derteng will be taken possession of by Turkey, and the mountain shall belong to the Shah; and the Castle of Zenjir, which is situated on the summit of the mountain, shall be destroyed, and the villages to the west of it are to belong to the Sultan, and the villages to the east of it are to belong to the Shah. In the vicinity of Shehr-i-Zul, the part of the mountain which is above the fortress

[*] This gives the substance of the Turco-Persian treaty of 1639.

of Zelem, and which looks towards the above castle, will belong to the Sultan, and the fort of Avroman with its dependent villages will belong to the Shah, and the pass leading to Shehrzur is fixed on as the frontier. The castle of Kizilijeh and its dependencies will belong to the Sultan, and Mihrban and its dependencies will belong to the Shah; and on the above frontier of Van the castle of Kotur, and the castle of Moghazberd towards Maku and Kars, shall be destroyed by both parties respectively. Besides the above notable points, Akhiska, Kars, Van, Shehr Zuleh, Deesehderzudi, which is also called Zerdia, and the villages on the east of the castle of Zenjir, and Mihrban and its dependencies, shall belong to the Shah, and their frontiers are not to be interfered with.

Translated by
JUSTIN SHEIL.

Annex to Enclosure 2 in No. 6.

Extract from the Turkish Historical Work called "Khoold Bereen," communicated to Colonel Sheil by the Persian Government, translated by Mr. Redhouse.

[Enclosure in a despatch from Colonel Williams to Sir Stratford Canning, No. 45, August 1, 1844 (not printed).]

Translation of Treaty of Sultan Murad and Shah Sefi, 1639.

In this manner was it signed by the pen, the container of acceptance, that, in the country of Bagdad, Jestaun, and Badra, and Mendeleeejeen, and Dairtenk, and Dairna, shall pertain to our auspicious Emperor, and the places which are plains from Mendeleeejeen as far as Dairtenk shall be held by this side, and the mountain shall pertain to the Shah. The fort of Zinjeer, which is situate on the summit of the hill, shall be demolished; the villages west of the same shall be held by the Emperor, and the villages east thereof by the Shah. That part of the mountain above the fort of Zalem near to Shehrezool, which faces the said fort shall be held by the Emperor and the fort of Avramaun with its dependent villages by the Shah. The Pass of Chuckaun is appointed the frontier of Shehrezoor. The fort of Kuzzilja with its dependencies shall be possessed by the Emperor, and Mihrebaun with its dependencies by the Shah. *And Vaun to the said frontier, Kotoor, and Makew, and the castles named Mughazbird towards Kars,* shall be demolished on both sides. Besides the said valid articles, Akhiska, and Kars, *and Vaun, to Shehrezool, Deeza, and Zuirdooy, called also Zuirdeyan* and the villages east of the fort of Zinjeer, and Mihrebaun with its dependencies, shall be held by the Shah, and no trespass shall be committed on their frontier. As long as His Majesty the *Shah's not being trespassed upon or meddled with,* no irritating circumstance tending to create discord shall happen on this side also, our auspicious and august Emperor shall hold this peace accepted; and on his Imperial part, contrary to condition and treaty, trespass shall not be committed from this side on the places which are the frontiers of that side. And in order that the merchants and travellers of both sides may come and go, and friendship exist, this beautiful covenant the requirer of , has been drawn up in conformity with the explicit agency and express lieutenancy, and has been sent to the majestic presence of the Shah, and made to reach the high-columned assembly of the Imperial State.

The above Turkish text is a copy, *verbatim et literatim*, of a document enclosed in Colonel Sheil's despatch of the 12th July, 1844 to Lieutenant-Colonel Williams, and the translation is as accurate as can be made of so inexact a paper. Such parts as *will* not make sense are underlined in the translation.*

J. H. REDHOUSE.

Erzeroum, July 30, 1844.

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* Printed in italics.

No. 7.

Sir Stratford Canning to Lord Aberdeen.—(Received August 2.)

(No. 155.)

My Lord, *Buyukdery, July* 18, 1844.

I HAVE the honour to enclose herewith the copy of a despatch, which I have just received from Lieutenant-Colonel Williams. Your Lordship will observe that, although the several parties at Erzeroum are happily replaced on a footing of mutual cordiality towards each other, the commissioners agree in thinking that any attempt to reopen the conferences before the opinion of the mediating Powers shall be expressed will infallibly prove abortive. Having no grounds on which to dissent from their decision, I can only express an earnest hope that the Russian Cabinet may be induced to join your Lordship with the least practicable delay in considering the various documents submitted to the two mediating Governments, and in determining the plan to be recommended and the course of conduct to be pursued.

To the continued interruption of the conferences at Erzeroum is to be added the extreme difficulty of maintaining the present state of tranquillity along the frontier, and in each of these circumstances your Lordship will doubtless recognise a powerful motive for accelerating the settlement of the whole business.

I avail myself of this opportunity to forward to your Lordship in original a memoir and map which I have received from Her Majesty's consul at Bagdad, and I also transmit to your Lordship herewith the notes which, at my request, Major Rawlinson has made upon the Persian paper respecting Mahommerah, which I forwarded to the Foreign Office with one of my preceding despatches.*

I have, &c.

STRATFORD CANNING.

Enclosure 1 in No. 7.

Colonel Williams to Sir Stratford Canning.

(No. 43.)

Sir, *Erzeroum, July* 10, 1844.

I have the honour to acknowledge the receipt of your Excellency's despatch of the 2nd instant (No. 30), together with those enclosed addressed to Lieutenant-Colonel Sheil, and left open for my perusal, which were duly forwarded by the same courier.

With reference to the assurances given to your Excellency by the Minister for Foreign Affairs, relative to instructions which had been addressed by the Porte to Kiamili Pasha to effect a reconciliation between the Ottoman plenipotentiary and the mediating commissioners, I beg to state to your Excellency that the instructions in question have reached the Pasha, who found it necessary to act upon them in consequence of those steps which Enveri Effendi had previously taken to effect this very desirable purpose, and of which I had the honour to acquaint your Excellency last week.

I have now the pleasure to state that the Ottoman plenipotentiary has renewed his friendly intercourse with Bakir Pasha, and that his Excellency Kiamili Pasha yesterday entertained at dinner all those committed with the conferences, thereby recording the gratification he felt at the re-establishment of that friendly intelligence, the interruption of which had added so materially to the difficulties of the negotiations.

With respect to any resumption of the conferences under present circumstances I, as well as my Russian colleague, fear that no good could result from such a course, and we therefore anxiously await the reply to the reference which your Excellency informs me has been made to the mediating Courts.

Had the Porte adopted the wise resolution to listen to the statement of indemnities

* The Persian memorandum was forwarded to the Foreign Office in Colonel Sheil's despatch No. 41, April 16, 1844 (despatch not printed). (See foot-note relative to this memorandum on p. 97.)

claimed by Persia (which common justice dictated, especially after the patient manner in which the written and verbal evidence in support of Turkish pretensions were heard by the Persian plenipotentiary) this great desideratum of "a recorded agreement as to the articles which admit of an immediate settlement" might have been effected; but as affairs now stand I should anticipate a painful refusal on the part of Mirza Takki to such a proposal, accompanied perhaps by an embarrassing appeal to my sense of even-handed justice if I were to propose such a step.

Whether the Porte's determination to persevere in this unwise course be founded in a fear to see set before it the extent of these indemnities, or in its consciousness of strength and superior power to Persia, is beyond my power of judging; but the Turkish Ministers, by this impolitic resolve, leave in the hands of the Powers, who must ultimately dictate the terms of a compromise, a lever of indefinite instead of definite length by which to urge the Porte to close these wounds.

I avail myself of this opportunity to inform your Excellency that a detachment of artillery, amounting to 500 men, is daily expected to arrive in this garrison from Sivas, and that six pieces of field artillery have been landed at Trebizond, and are now on their way to Erzeroum.

I have, &c.
W. F. WILLIAMS.

Enclosure 2 in No. 7.

Memorandum by Major Rawlinson, Consul at Baydad, on the Perso-Turkish Frontier as defined in the Treaty of 1639, between Sultan Murad IV and Shah Sefi.

On examining the abstracts of Sultan Murad's treaty, preserved respectively in the nearly contemporary works of Naimeh and the Jehan Numa, so great a similarity is observed between the two accounts, as to warrant a belief that the authors must have severally consulted the original document.

The same order, the same names, and the same forms of expression occur generally in the two accounts, but nevertheless a strange discrepancy is found in the general tenor of the frontier demarcation, and when we examined the texts attentively, we find that this discrepancy arises from the omission by the author of the Jehan Numa of one or two entire lines of the original treaty, the second and third territorial clauses being blended into one, and a totally different limitation of territory from that which was intended, being thus assigned to the two Empires.

Now it occurs to me that, in the absence of the original treaty, the claims which I understand to have been advanced by Persia to the territory of Akhiskha, Kars, and Wan, may possibly originate in this very perverted text of the Jehan Numa, those being the particular districts which, by the omission in that work of the line preserved in Naimeh, are assigned to Persia instead of to Turkey, and before making any general observations therefore on the line of frontier, I think it may be advisable to exhibit translations of the two abstracts in parallel columns, and to mark the precise limits of the omission in the Jehan Numa, accompanying the same with such geographical notes as are necessary to illustrate the text.

Extracts from the Jehan Numa.

In the year 1047 (1639 A.D.), when Sultan Murad IV recovered Bagdad from the possession of Shah Sefi, Kara Mustafa Pasha concluded a treaty with the Persians defining the frontier according to the following conditions:—

Extract from the Tarikh-i-Naimeh.

An account of the treaty and conditions of peace (between Sultan Murad IV and Shah Sefi).

The Persian Commissioner, having demanded that several districts and fortresses wrested from the possession of Persia, should be restored, the Turkish Prime Minister, who was intrusted with the conduct of the negotiation, refused to comply with the proposal, much strong discussion followed; but at length the following conditions were mutually accepted:—

The Government of Bagdad to include Jestan, Badreh, Mendalijin, Dartang, Darneh, and to extend, as far as the place called Sir Mil. The right of Turkey also to be acknowledged to the plains between Mendalijin and Dartang, to the Ziya-ed-din and Haruni divisions of the Jaf tribe, to the villages lying to the west of Kilah Zanjir, to the forts and hills lying above Kileh Zalim, near Shahrizor, and to the districts of Shahrizor visible from the said fort of Zalim in the direction of the Chaghan Pass, as well as to the fort of Kiziljeh and its dependencies, which had been wrested from the possession of Turkey.

Moreover, with regard to Akhiskha, Kars, and Rawan, the dependencies of Shahrizor—

(named) Derah and Zarudi or Zardiya, the villages lying to the east of Kilah Zanjir, Mihrban (Meriwan) and its dependencies, which had been wrested from the Persian Government. These to

The right of Bagdad to be acknowledged to Jestan, Badreh,(1) Mendalijin,(2)

Darneh and Dartang,(3) extending as far as the place called Sir Mil,(4) and to all the territory lying in and between these districts.

Also to the Ziya-ed-din and Harnui(5) sub-divisions of the Jaaf tribe, to the villages lying to the west of Kileh Zanjir; (6) to the hills lying above the fort of Zalim near Shahrizor(7) and the lands of Shahrizor, visible from the said fort extending as far as the pass of Chihan,(8) and to the fort of Keziljeh(9) and its dependencies, which had been wrested from the Turkish Government.

No interference, moreover, to be admitted on the part of Persia with any of the fortresses or villages, or lands, or districts, or mountains, or coasts lying within the several acknowledged territories of Akhiskha, Kars, Wan, Shahrizal, Bagdad, and Bussorah.

The Turkish Government, on the other hand, to renounce all claim upon, or right of interference with any of the following places:—

The fortresses lying between Mendallijin and Dartang,(10) the forts and villages situated to the east of Bireh (Derah),(11) Zarduyah, which is also called Zimarda-

(1) The districts of Jestan and Badhri are situated nearly due north of Kool-ul-Amara, commencing at a distance of about 20 miles from the river, and stretching to the foot of the mountains of Luristan. They are well watered by streams descending from these mountains, and produce wheat and barley in considerable quantities. The Feiles of Pushtikoh, who are dependent on Kermanshah, occupy the skirts of the hills, but a Turkish zabit collects the revenues of the plains and maintains the Turkish authority.

(2) Mendalijin, now generally called Mendali, is well known as a considerable town on the southern road between Bagdad and Kermanshah. The right of Turkey to this place is undisputed, but the inhabitants nevertheless are glad to pay a fee of 500 tomans annually to the Kalhour chief of Iwan for the right of watering their lands from the Gangir River; this chief, who is a Persian subject, having it in his power by diverting the stream to throw the Mendelli lands entirely out of cultivation.

(3) Darneh and Dartang are two stony positions forming the northern and southern limits of Zohab. The true Dartang I believe to have been the defile of Rijab, but in Sultan Murad's Treaty, and, indeed, in the generality of Turkish historical works, the same applies to "the gates of Zagros," or the pass which is now usually called Tak-i-Gierrah. Darneh I have never visited, but its ruins are to be seen on the Upper Dialeh, where the river debouches from the great range of Shahoo into the low country of Shahrizor.

(4) Sir-Mil, signifying "the head of the pass," is the point where the pass of Tak-i-Gierrah opens out on the plain of Kerind.

(5) The Ziya-ed-Din division of the Jaaf tribe is now unknown, but the name of Harnui still attaches to one of the minor clans.

(6) Kilah Zanjir is a very remarkable place. It is a natural fort strengthened by artificial defences, and situated on one of the culminating points of Zagros—here called Dalahir. It bears about 40 west from Kermanshah, and at east from the town of Zohab, distant from the former about 50 miles, and from the latter 40. It would be very desirable to have this frontier landmark astronomically fixed.

(7) The ruins of the fort of Zalm—a place of great celebrity in Turkish history—are to be seen on the south-west skirts of the rugged range of Avroman, which bounds the plain of Shahrizor to the east. The River Zalm, an important affluent of the Dialeh, rises under this fort.

(8) The pass of Chighan is that by which the high road from Bawa descends into the plain of Shahrizor.

(9) Keziljeh is well known. It is the most easterly district of Shahrizor, and conterminous with Meriwan.

(10) The line from Mendalli to the Tak-i-Gierrah Pass running at east cuts at right angles all the outer ridges of Zagros, of which the general direction is south-east, and thus bisects the several plains of Gilan Derah, and Kileh Shahin, which lie between these ranges, a most inconvenient demarcation and one that could never have been practically observed.

(11) This name is written Derah in the Jehan Numa, but I suspect Pireh to be the true orthography the allusion being to the village now called Piran, below the fort of Zardeh and at the mouth of the Rizal defile.

be given up to Persia, and no interference to be permitted on the part of Turkey with any of such frontier possessions.

By the mutual agreement also of both parties, the following forts to be destroyed and abandoned: Kileh Zanjir, situated on the summit of a remarkable hill; the fortresses of Kotoor and Makoo on the frontiers of Rawan; and the fort of Maazbird in the direction of Kars.

mawa (Bezmirawa) (12) or Kileh Zanjir, Avroman and its dependent villages, Mehrban (13) (Meriwan) and its dependencies (lately) wrested from Persia, or any of the places situated within the acknowledged limits of these several districts.

By the mutual consent also of both parties, the following fortresses to be destroyed and abandoned: Kilah Zanjir, occupying the summit of a remarkable mountain; (14) Kotoor and Makoor situated on the confines of Wan; (15) and Maghazbird lying in the direction of Kars. (16)

I now proceed to note such observations as occur to me in tracing the frontier from south to north.

Although the southern limit of the Turkish Empire is declared in Sultan Murad's treaty to be Bussorah, and its acknowledged dependencies, the definition must only be understood as annulling any claim on the part of Persia to the territory in question, for the Turkish authority was not fairly and permanently established in that quarter until A.D. 1668, thirty years after the conclusion of the treaty.

Great uncertainty, also, attaches to the extent of territory which was dependent upon Bussorah at the precise period of the treaty, from the time of Sultan Selim to the time of Sultan Murad, the limits of the Pashalic being greater or less, according to the individual power of the chiefs who reigned there. I think there can be no doubt, however, that the immediate banks of the Shatt-el-Arab were always under the rule of Bussorah, the ancient towns of Mufelleh and Madar which were invariably ranked among the dependencies of Bussorah, appear to have been on the left bank of the river near the modern positions of Mohammerah and Girdilan, and when the Jehan Nama was written shortly after the institution of the Pashalic of Bussorah, not only were the forts on either bank of the Shatt under that Government, but the Turkish power had been extended to the lands of Gaban situated far to the eastward, on the old bed of the Karun. (17) The best evidence probably which is afforded of the claim of Bussorah to the left bank of the Shatt from Girdilan to the sea at the time of Sultan Murad's treaty, is to be found in the archives of the city, where the revenue liabilities of the lands are duly registered.

(12) Zardayeh, Zordi, or Zerdiya as the name is written in the different works is unquestionably the present Zardeh, and the supposed identity of this place with Zuardumawa points out Bezmirawa as the true orthography of the latter name. Bezmirawa is in reality 4 miles distant from the village of Zardeh, but the two are constantly confounded together; the former name, although properly belonging to a particular village, being frequently applied to the whole surrounding country.

(13) Avroman and Meriwan (properly Mehrban) are both well known districts, forming the western frontier of Ardelan; they are both to the westward of the culminating ridge of Zagros, and would appear therefore geographically to belong to Shahrizor.

(14) Kilah Zanjir could never have been occupied in any strength; the upper platform of the rock which is ascended by steps, being of very limited extent. It has been long abandoned, and the lower defences have almost disappeared. I have visited the place, but had no time to examine it minutely.

(15) The name which appears in Naimeh under the form of Wan is written Bawan in the Jehan Nama, an orthography which is sometimes employed in geographical works to express the more common title of Tiwan. I think, however, the real place mentioned in the treaty must be Wan, Kotoor being a well known fort on the frontier between that Pashalic and the district of Khoi and Makoor occurring also, as far as my recollection serves me, in the Kurdish history, as the name of a fort in the same vicinity. The author of the Jehan Nama writes the latter name Makoo with an apparent allusion to the famous fort of that name south of the Arras, but I cannot suppose the abandonment to have been conceded of any position so far within the Persian frontier.

(16) Maghazbird, or vulgarly Menazgbird, is a fort on the Arpachai, a few miles south of the ruins of Ani, and on the immediate frontier of the Turkish and Russian territory. I am not aware at present whether it is occupied or not.

(17) The following is the description given of Gaban in the Jehan Nama under the head of Bussorah:—
Kileh Kuban lies on the side of Khuzistan, being the extreme possession of the Turkish Government in that direction.
It consists of a fort built upon a river near the point of its disembogement in the Persian Gulf, and to reach this fort from Kileh Jedideh (in the Island of Abadan near the mouth of the Shatt) it is necessary to cross the Karun (by this must be meant the Bamishere), the intervening track being entirely desert.
Above Kuban there are three other forts close together, and dependent upon Persia, in the neighbourhood of which is a lake flowing down from the Karun and falling into the Persian Gulf, and the lands which lie between the course of this lake and the Karun constitute the territory of Kuban, enclosed on all sides by water like an island.

If the history of Naimeh presents also a true abstract of Sultan Murad's treaty, another difficulty arises in fixing the limits of the two Empires, from the neglect of the negotiators to mention any place between Bussorah and Jestan, the greater part of the intervening country would appear from a notice preserved in the Jehan Nama to have been at the time of the treaty dependent upon Zakiyeh (the modern Zachiya) which was one of the principal places of the great tribe of Mushasha; and as the chiefs of this tribe, who were virtually independent, held at the same time Bussorah in fief from the Sultan, the mention of that city may have been intended to include all the Mushasha territory. On the final ruin of the tribe, at any rate, Zakiyeh was formed into a Turkish Singak, and was formally annexed to Bussorah, but since the rise of the Mantefik it has in their hands nearly recovered its old condition of independence.

I can discover, I confess, no positive means of deciding the territorial question of the country of the Beni Lam, the great city of Sib, of which the remains are still to be seen in about latitude and longitude , was formerly included within the limits of Khuzistan, and until the ruin of that place the country of the Beni Lam may be considered to have been generally dependent upon it; but if the precise line of the modern Tigris which was the old Tib boundary, be now abandoned, in consequence of the connection between Zakiyeh and Bussorah at the time of the treaty, I see no better territorial distinction than that which prevails at present, of assigning everything within the extreme skirts of Kiben Koh to Persia, and of conceding the entire plain country to Turkey. At the same time as this general geographic line is extremely ill-defined in its details along the entire space intervening between the Kerkha and Badrai, and as the Turkish and Persian tribes, moreover, are constantly intermingling upon it, it would be very desirable, I think, to establish land-marks, which might be appealed to as direct authority in any future question of frontier litigation.

The Pashalic of Bagdad was held according to the treaty to commence at Badrai, and from this point the frontier would appear to have been intended to follow the line of the extreme skirts of the hills to Mendalli, a basis of demarcation which is recognised and observed at the present time. In the Jehan Nama, however, there are two hilly districts intervening between the plains and the great range which are included among the sanjaks of Bagdad. They are named respectively Jangaleh and Deh Bala, and they would appear in antiquity to have been always attached to the low country.

The latter district, indeed, contained a famous palace to which the Abbasside caliphs used to withdraw during the summer heats, and here was the place of sepulture of the illustrious Mehdi, the father of Harun-al-Rashid, who was accidentally killed whilst enjoying the pleasures of the chase.

At present both these districts belong to the Feilee Lurs, and Hyder Khan, one of the joint rulers of Pushtikoh, usually resides in Deh Bala.

The immediate limits of Mendalli, which is the next frontier district, are sufficiently well defined; the hills in this quarter terminating somewhat abruptly instead of gradually sloping into the plains, as is the case farther to the south; but beyond Mendalli there is much uncertainty in regard to the ancient frontier, as well as to the present one. By the treaty of Sultan Murad, it will be observed, the right of Persia is conceded to the forts lying between Mendalli and Dartang; and I am inclined to consider this expression, vague enough as it certainly is, to apply to the respective positions of Gilan, Derah, and Kilah Shahin; but, on the other hand, I must remark that these three parallel valleys are unquestionably in the low country, their level being very little higher than that of Mendalli. That Gilan is expressly mentioned in the Jehan Nama as a dependency of Bagdad, and that Kileh Shahin, immediately contiguous to the old city of Halwan, was unquestionably included in the territory of the Kurdish princes of Dartang and Darneh, who, at the time of the treaty or shortly before, ruled over Zohab and the whole of the adjoining mountains. The lands of Kileh Shahia, indeed, were only purchased by the Kalhoor chiefs from the Turkish proprietors about forty years ago, and I have always heard in the country the right of Persia to Gilan placed in precisely the same category with her claims upon the Pashalic of Zohab. I have already alluded to the practical impossibility of drawing a direct line of frontier from Mendalli to Dartang, (18) as such a line would exactly bisect the intervening valleys. If we attend to the grand geographical distinction between the mountains and the plains, Gilan, Derah, and Kileh Shahia will belong to Turkey, and the frontier

(18) This line is nevertheless introduced in the accompanying sketch-map as a conjectural frontier.

will be the great range immediately to the east of them; but if, on the other hand, it is an object to disturb as little as possible the principles of distribution which obtain at present, the districts in question may be judicially allowed to follow the rule of dependency that must be determined in regard to Zohab. They are all valuable districts and belong at present exclusively to the Shahbaz division of the great Kalhoor tribes. My own impression is that it was intended in the treaty to assign the lands of Gilan, Derah, and Kileh Shahin to Persia; but that they remained nevertheless in the occupation of the Turks until within the last fifty years.

As far as the district of Mendalli, no great discrepancy has been observed between the ancient and modern boundaries; but from that point the line assigned by treaty, which I am now considering, and which passes by Dartang and Darneh branches off from the present frontier to the eastward, and commences to enclose that extensive tract which in the greater part of its surface forms the disputed territory of Zohab. I shall continue to trace the old boundary before adverting to the present frontier, which runs from Mendalli to Khannikin, and shall endeavour to show the causes which have produced so strange and tortuous a line of demarcation.

If we possessed alone the names of Dartang and Darneh we should be as much at a loss to fill up the intervening space as to complete the line from Bussorah to Jestan, but, fortunately, in this part of the frontier the treaty is more specific. The original Dartang, which gave to the Kurdish Princes of these parts one of their territorial titles, was certainly the large modern village of Rijab—the defile is still called the Dartang-i-Rijab—the dwelling place is still shown of the Kurdish Emirs and the site has all the marks of ancient consequence; whilst in the pass of the gates of Zagros, to which the Turks apply the title of Dartang, there never could have been anything more than a petty hamlet. Nevertheless, it is equally certain that the Dartang of the treaty is the Tak-i-Gerrah Pass; the spot where the defile opens out on the Plain of Kerrind is still called Sir Mil, the very name employed to designate the extreme Turkish limit; in the wars, again, between the Ottoman Sultans and the Suffavean Kings, the attack and defence of Dartang is frequently mentioned, and the Jehan Nama, moreover, describes the Pass of Dartang on the high road into Persia with minute details of character and distance that can only apply to this place; Sultan Murad, it must be remembered, also was engaged in an expedition, having for its object the obtaining command of this very pass, when the treaty with Shah Sefi was concluded, and he would appear to have been so fully alive to its value, as the only military road into Persia from the south-west, that he insisted on retaining possession of it, as the price of his forbearance to prosecute the war.

It will be as well to introduce a few observations here on the Princes of Dartang and Darneh so celebrated in Kurdish history.

From a very early antiquity the Kalhoor tribe occupied the mountains of Zagros, overlooking Zohab and Suleimanieh.

When the Ottoman arms first penetrated into Mesopotamia, we find the tribe to have been composed of three divisions[19] and the chiefs of one of these divisions to have had the title of Princes of Dartang and Darneh, their possessions extending entirely across the range from Zohab to Mahidesht, and their two chief towns being situated respectively on the Northern Dialeh where the river debouches from Zagros into the Plain of Shahrizor and in the defile of Rijab.[20] Sohrab Bey, the chief of this tribe, was a staunch supporter of Sultan Sulieman, and received for his services in the Persian wars the grant of all the territory between the mountains and the Dialeh, comprising the modern Pashalic of Zohab.

His son continued to be attached to Turkey and frequently resided at Bagdad, but the grandson appears to have withdrawn his tribe from the low country and to have espoused the cause of Persia, establishing himself in his ancestral fortress of Kileh Zanjer and ravaging the Turkish territory whenever an opportunity offered. When Sultan Murad accordingly was enabled to dictate terms of peace to the Persian Government he demanded the abandonment and desolation of this frontier fastness,

(19) The first, or Palangan, division of the Kalhours, mentioned in the Kurdish history, has since entirely disappeared, and the third, or Mahidesht division, is that alone to which the name of Kalhoor at present appertains.

(20) The following list is given in the Kurdish history of the forts and districts dependent on Dartang and Darneh, which this family possessed in the sixteenth century: Padeh, Pasikah, Ahmi, Kileh, Zanjir, Rowansir, Dandan, and Zermanlegu. These names are still known in the country, but few of the positions are occupied.

and he is said at the same time to have bestowed the entire low country which was thus forfeited from the Kalhoors, and to which the titles of Dartang and Darneh still adhered, on the Turco-Kurdish tribe of Bajilan that had followed him from Mosul to Bagdad. The Kalhoor Kurds, I must also observe, who at this period first came under the direct rule of Persia were sectaries of the Ali Allahis faith; their holy places lay in the mountain immediately overhanging Zohab ([21]) and Persia could not depend upon their allegiance unless these shrines, to which the Ali Allahis are attached as warmly, as are the orthodox Mahommedans to Mecca and Medina, were included within her territory, hence, then, arose, as I conceive, the specification in the treaty of the villages of Pireh and Zardeh or Bezmirawa, and the assignment to Persia of all the territory to the eastward.

The only special points in regard to this part of the frontier, which Sultan Murad appears to have had in view in the conclusion of his treaty, were the retention of the high road leading into Persia through the gates of Zagros, the destruction of Kilah Zanjir, and the bestowal of Darneh on his Bajilan adherents. He left without regret with the recusant Kalhoors the whole of the upper country which had formerly been dependent on Dartang, and contented himself with drawing a line from the Sir Mil round the jutting ridge of Zagros, which is known under the name of Dalahu, to the dismantled fortress of Kilah Zanjir, the boundary having been continued, it is said, from that point in almost a straight direction to Darneh. The confines of Darneh are believed never to have extended to the eastward of the great range. The town possessed valuable dependencies on the left bank of the Dialeh, as well as in the valley of the Zamahan; but its chief revenues were, of course, derived from the rice cultivation of Zohab. The general crest of Dalahu marks the territorial boundary of Sultan Murad sufficiently well between Sir Mil and Kilah Zanjir; but I think the prolongation of an exact frontier line from Kilah Zanjir to Darneh must have always been exceedingly difficult. The Zamakan River may, by a slight deflexion from the line, be admitted as a boundary for a considerable part of the way; but the line must also cross much rugged and almost impassable country between that stream and the bed of the Dialeh.

To return, however, to the description of the western frontier of Zohab, which is held at present to mark the limits of the two Empires from a point called Demasang, about 5 miles from Mendalli, the boundary is supposed to run almost in a right line to Khannikin. There are no land marks whatever, the country is broken up into a multitude of sand hills, the ridges stretching in a general direction of north-west and south-east, but intersecting each other at all points. Running water there is none, but as the herbage in winter is excellent, and the rain collects in stagnant pools, the tract is a favourite pasture-ground for the Persian felyant. The Beitowi and Ahmedawands always encamp there, and they are not unfrequently joined by parties of the Sinjabu; the principal pasture-grounds, however, of the latter are on the Holwan River and between that and the Dialeh to the east, north-east, and north of Khannikin.

The frontier line passing from the pasture-grounds of the Beitowis, through Bayheleh, which is held to be neutral territory, cuts the Holwan River at right angles about 4 miles from Khannikin, and continues in the same direction to the Dialeh at Binkudrah. This appears to me, however, altogether an arbitrary demarcation; it is subject to dispute throughout its whole extent, and being in the exact quarter where the Turkish and Persian felyant come in contact, there is always a danger of collision on a contested right of pasturage. If Zohab is ruled to belong to Persia, the most natural line of frontier would be the course of the two rivers Holwan and Dialeh to their point of confluence; but this further concession at the same time would involve a serious forfeiture of Turkish rights, as the lands enclosed between the two streams are exceedingly productive, and are thickly studded with villages dependent upon Khannikin.

The district between the rivers, I may add, was, indeed, formerly of so much consequence as to constitute a separate Turkish Sinjab, which is described in the Jehan Nama under the name of Zeiyabad, being immediately dependent on a large village of that name still existing on the Dialeh.

From Binkudra, where the frontier line is supposed to meet the Dialeh, the course of that river presents an admirable geographical boundary for about 40 miles.

The proper winter pastures of the Jaaf are along the left bank of the stream in the upper section of this territory; but when they apprehend an attack from

(21) The great shrine of the Ali Allahis is at Zardah on a shoulder of Mount Dahdan above Zohab.

Suleimanieh, they move farther to the south, and not unfrequently even cross the river into the country dependent on Zohab.

Shirwaueh is, I believe, considered to be the frontier between Suleimanieh and Bagdad. From that point the Turco-Kurdish line follows up the Dialeh to the ford of Bana Khilan, and then crosses the stream to enclose the two mountainous districts of Shimiran and Sheikh Mydan, which are upon the left bank of the river. It has always seemed to me a geographical anomaly that after the virtual abandonment of Zohab to Persia, and the assignment of the Dialeh as a frontier between the two Empires, along the entire western border of that Pashalic, the boundary-line should, at the northern extremity of the province, cross the river and enclose these two solitary mountain districts. An explanation, however, is afforded in the old limitations of Shahrizor and Darneh, considered independently of the Turkish and Persian Governments. When the two great houses of Ardelan and of Kalhoor ruled contemporaneously in Shahrizor and Darneh, I find Shemiran and Sheikh Mydan to be always mentioned among the dependencies of the former, and on the recovery of Shahrizor by Sultan Suleiman from the Ardelan family in A.D. 1560, and its institution as a separate Pashalic, Shemiran is again noticed as one of the Turkish conquests. There is no doubt, therefore, but that these districts were a part of Shahrizor, and not of Darneh, at the time of Sultan Murad's treaty, and were inherited as such by the Baban family when, in A.D. 1680, they first came into the country, and as Shahrizor remains with Turkey, while Darneh has been gained by Persia, the present line of frontier between the two Empires necessarily observes the old provincial delimitation.

Having now brought the western frontier of Zohab to join the eastern line at Darneh, I proceed briefly to explain the manner in which this vast extent of territory has been lost to Persia.

Shortly after the time of Shah Murad the Kalhoor tribe, which had been driven out of Dartang and Darneh, assumed to themselves the peculiar designation of Goorans, which had been previously applied to the Kurdish peasantry, as distinguished from the clans; and these Goorans at the same time broke off into the three distinct tribes of Kilah Zanjiri, Kirrindi, and Biwaniji, the names being derived from their several places of residence. They are said, with the connivance of the Government of Kermanshah, to have driven the Bajilan out of Darneh in about 1700 A.D., and to have obliged the latter to confine themselves to the plains, where shortly afterwards the Bajilan Pasha founded the town of Zohab. Ahmed Pasha, the Bajilan Chief of Zohab defending the Dartang against Nadir Shah, suffered severely, and the Persian monarch more effectually to cripple him removed the greater part of the tribe to the vicinity of Khoremabad, where they remain at present. But the particular family of the chief, nevertheless, professing allegiance to Turkey, and still retaining the title of Darneh Begee, which they had inherited from their former seat of residence, continued in Zohab until the present century, engaged in constant hostilities with their old enemies the Goorans of Kilah Zanjir, and courting the support of Bagdad, of Suleimanieh, or of Kermanshah according as their interests prompted them. The last of the ruling Pashas of Bajilan was removed by Mahomed Ali Mirza about twenty-five years ago, and the country of Zohab, forcibly sequestered at that period by Persia, has been since usually administered by the Gooran Chief of Kilah Zanjir, who is the lineal descendant of the old Emirs of Dartang and Darneh. I may add that it is far from uncommon at present for the Goorans to threaten the transfer of their allegiance to Turkey, and that, but for their disinclination to quit the sacred vicinity of Zardeh, they would, in their impatience of the control of Kermanshah, have probably, ere this, emigrated in a body to Suleimanieh.

Ascending along the frontier from Darneh, the boundary line assigned by Sultan Murad is found to be almost the same as that which obtains at present. It appears to have been carried northward from the Dialeh along the summits of the ridge of hills, which divide Avroman and Meriwan from Hallebjeh and Shahrizor.

The ruins of the forts of Zalm and Meriwan, which were so celebrated in the Turco-Persian wars, are still to be seen on the opposite faces of the range, and the Kurds have acknowledged land marks extending from this range between Meriwan Kiziljeh, and again between Kiziljeh and Bamueh.

I have not been able to determine the exact reasons which induced Sultan Murad to abandon Avroman, Meriwan, and Bamueh while he retained the district of Kiziljeh; for as they are all to the westward of the great range, they would appear, in geographical relation, to be equally dependent upon Shahrizor; and it is certain that to within a short period before the treaty, the right of nominating to the Government of all these districts remained exclusively with Turkey. It is probable, however, I think, that the tribe of Ardelan, which had been expelled from the open country of Shahrizor, and, falling back on the hills to the eastward, had closely and permanently allied itself with Persia, was too securely in occupation of Avroman and Meriwan to admit of the cession of those districts to Turkey. It is at the same time curious, if the preceding supposition be correct, that Kiziljeh, which is to all intents and purposes, a continuation of the open country of Meriwan, and which intervenes between Meriwan and Bamnah should have been lost to the powerful tribe of Ardelan. (22)

The districts intervening between the outer range of Avroman and the great inner bulwark of Zagros, afford the best summer pasturage in all Kurdistan, and there, accordingly, notwithstanding that the lands are within the Persian frontier, the Jaaf and most of the other Ielyant of Suleimanieh encamp during the hot months, occupied in the care of their flocks. The Waleo of Ardelan, it is true, is considered to have a right to demand from the Suleimanieh tribes a fee of one in forty (2½ per cent.) on their flocks for the privilege of pasturage within his frontier; but of late years neither has this claim been enforced, nor have the Persian tribes paid for their winter pasturage on the lands of Khannikin and Mendalli.

I shall have some difficulty, I fear, in tracing the frontier above Kiziljeh, for the treaty is entirely blank between Shahrizor and Wan. The immediate district to the north is Banin and the chief of that place of the ancient tribe of Ikktiyar-ad-din believes his family to have been from a very early age dependent on the house of Ardelan. They are mentioned, however, at different periods as attached to the Baban and Mikri tribes, and at the time of Sultan Suleiman's Kurdish campaign, Mir Mohamed Seif Beg, of Bannah, would appear to have been entirely independent. It is unfortunate that the precise condition of the tribe cannot be discovered at the time of the treaty. If dependent on the Ardelan or Mikris, their territory was no doubt conceded to Persia; but if under Baban rule it should be included in the modern limits of Suleimanieh. At present it appears a gross violation of geographical propriety to attach Bannah to Ardelan, for being to the westward of the range, it is shut out from all communications with Persia for some months during the winter, while the southern road to Suleimanieh is always open.

The Bannah tribes reside entirely in villages, and have given up all nomadic habits.

The present frontier extending from Bannah to Lahijan, and dividing Serdesht from Koi-Sanjak, is subject, I believe, to much confusion. No doubt at the time of the treaty, Serdesht was dependent on the Mikris, and Koi-Senjak and Margeh were attached to the Baban, so that the present general line of frontier would appear to be correct. According to the manner, also, in which I understand the first article of the treaty of 1822, (23) the district of Koi Sanjak which this line is held to define, was especially protected against Persian interference; but at the same time owing to the restless habits of the Bilbass who inhabit along the track in question as well as to their proneness to plunder, it would seem very desirable to establish, or rather re-establish, fixed nomadic and geographical limits in Serdesht.

If the Bilbass, as is generally believed, are an offset of the Mikris, the claim of the Turkish Government to their allegiance will be much of the same character as that which Persia advances to the Chaab; for at the time of Sultan Murad's treaty, all the divisions of the Mikris were unquestionably under the Government of Azerbaijan, and it may be argued that since that period the Bilbass have not had it in their power to denationalise themselves by emigration from their proper seats. Practically, too, the Bilbass appear to be rapidly returning to their condition of dependence upon Persia. The great Piran division of the tribe still continues, it is true, to reside in winter on the lesser Zab, but the Maugish and Mamoor divisions are for the most part settled in Lahijan, which is Persian territory, and pay, moreover, the revenues of their lands to the Mikri, proprietors of Soujboulak. The dependency of the Bilbass, nearly balanced as it is at present, will prove, I think, as difficult of arrangement as any question connected with the frontier in its entire line from Bussorah to Bayazid.

(22) I have thought it might be interesting in connection with the disputes between Senna and Suleimanieh to give some account of the Ardelan family, and I have accordingly added to the present memorandum a translated extract on the subject from the Kurdish history.

(23) In this article it is provided that Persia shall not interfere with the sanjak (of Kurdistan), a term which certainly signifies "a district," and in the translations of the treaty is usually thus rendered, but the name Senjak is also applied par excellence" to the district of Koi, north of Suleimanieh, and I believe the allusion in the treaty to be to this particular territory.

The boundary from the Kurtek Pass, which is the limit of Serdesht, proceeds north-westerly along the great range of Kandilan, dividing Lahijan from Balik, and then, crossing at right angles the shoulder which encloses Sulding to the south, reaches the Kel-i-Shin Pass of Ooshney. The geographical distinction is most marked upon this part of the line, and as the Mikris also held Lahijan at the time of Sultan Murad's treaty, while Balik was dependent on the Suhran chiefs of Rowandiz, there seems no reason to doubt the correctness of the present territorial distribution.

I hardly see, however, should the Bilbass be recognised as Turkish subjects, how they can be permitted to inhabit villages and cultivate lands, so far within the Persian frontier as Peshwa and the other positions which they occupy in Lahijan.

From the Kel-i-Shin Pass the frontier is supposed to follow the culminating points of the great range dividing Ooshney from Rowandiz, Mergawer from Kanerish; but the advantage in all this tract is rather on the side of the Turkish Kurds, than on that of the Persians, the Bilbass, Rowandis, and Beradust monopolising the summer pastures on the eastern face of the range and keeping the peaceful inhabitants of the plains in a state of perpetual alarm and agitation.

The remainder of the line bounding Ooroomieh Dilman and Khoi and joining the Arras a few miles north-east of Ararat. I am hardly qualified to treat, having no further personal acquaintance with it than such as was acquired in a two months' residence at Kasley Gul, near Bayazid, in 1834. For some distance northward of Mergawer, the line of hills, I believe, is strongly marked, and the frontier continues, in consequence, sufficiently defined; but between Dilman and Kotoor, I have understood that some uncertainty prevails both from the irregularity of the ranges, and from the difficulty of distinguishing the low country from the mountains. Azerbaijan at the same time affords far greater facilities for determining rights of contested territory than are to be found in Kurdistan, the Government being systematised to a degree unknown elsewhere in Persia, and the lands being thus registered with a care and accuracy approaching the regularity of European service.

I have no doubt that the districts declared in the treaty to appertain to Turkey are those respectively of Wan, Kars, and Akhiskha, and from the successive mention of the frontier positions of Kotoor, Makoor, and Maghazbird, it would seem almost certain that the ancient line was identical with that which obtained, previous to the cession by Persia to the Russian Government of the districts east of the Aspor-Mai. I imagine it will always be difficult to define a line of frontier from Ararat to Kotoor, as well from this confused appearance of a country intersected by ranges running in every possible direction, as from its being untenanted by fixed inhabitants, and whilst the dependency, moreover, of the Kurdish tribes of Jellali, Hyderanta, Zelani, &c., remains as uncertain and as imperfect as at present, no establishment of landmarks or other means of geographical demarcation, can possibly attain the object of putting an end to all sources of frontier disagreement. If these tribes are thoroughly coerced, or are removed to a distance from the frontier, violation of territory need be little apprehended; but whilst they remain in their present positions, and continue as little as at present under control, the mere accident of their lawless habits will be liable at any moment to renew misunderstandings between the Governments to which they respectively belong.

H. RAWLINSON,
Consul at Bagdad.

Appendix to Enclosure 2 in No. 7.

Extract from the "Sharaf Namah."

NOTICE OF THE HOUSE OF ARDELAN.

TOWARDS the close of the reign of the Chinghizians, a man named Baba Ardelan, a descendant of the Governors of Diarbekir, and related to the famous Ahmed Iben Merwan, after remaining for some time among the Gurans, gained possession of the country of Shahrizor.

Seven generations succeeded, of whom little is known, the names of the chiefs were as follows:—

Galal, Khizr, Elias, Khizr, Hassan, Babalu, Moudhar. These chiefs succeeded in direct descent. After Moudhar came his brother, Mamun, who lived to a great age. Mamun had three sons, Bekeh Beg, Surkhab Beg, and Mahmoud Beg, and during his lifetime he divided his territories between them. To the eldest, Bekeh Beg, he assigned Zalm, Nukud (?), Sheikh Mydan (?), Shemiran, Hawar, Siman, Doudan, and Gulamber. Bekeh had two sons, Ismael and Mamun. The latter succeeded to his father's possessions, but had not ruled above a year when Sultan Salim sent Sultan Hussein Beg, of Amadiah, with an army to subjugate the country of Shahrizor. Mamun threw himself into the fort of Zilam, but was at length offered terms and induced to come out, when he was at once seized and sent a prisoner to the Turkish Court.

His uncle, Surkhab Beg, immediately seized his country and added it to his own possessions, which had previously consisted of the districts of Toe (Koi?), Misheieh, Mihrawan, Tamureh, Galus, and Nishkas, and at the same time he made an offer of his allegiance to Shah Tahmasp.

On Mamun Beg reaching the Turkish Court, Sultan Suleiman Khan recognised his innocence, and accordingly dismissed him with honour, granting him as a provision for life the government of the Sinjak of Hilleh, where he enjoys himself to the present day, 1004 A.H. (A.D. 1595–6); at the same time also the Porte granted to his brother, Ismael, the Sinjak of Tirojak, where he remained for some years, and where he eventually died.

Surkhab Beg shortly afterwards united to his possessions the other third share of territory which had belonged to his younger brother, Mahomed Beg, 956 A.H. Ulkas Mirza fled from his brother, Shah Tahmasp, and took refuge with Sultan Suleiman Khan, but after some time, quarrelling with the Sultan, he wished to make his peace at the Persian Court, and accordingly employed Surkhab Bey as his mediator, praying that no notice should be taken of his past conduct, and that he should be given as formerly the government of Sherwan. Shah Tahmasp was only too glad of the opportunity of getting his brother into his hands; he affected to agree and invited him to Court, but seized him on his arrival there and sent him to the fort of Kahkahah (near Ardebil), where he was subsequently killed; for the service performed by Surkhab Beg in getting Alkas Mirza to return to Persia, Shah Tahmasp gave him a pension of 1,000 tomans a-year, which was continued to him during the whole of his life; he ruled sixty-seven years and left eleven sons. Hassan, Iskander, Sultan Kuli, Yaakub, Bahrain, Basat, Dhulfakar, Aslamash, Shahsawar, Sam, and Kasem. Mahomed Beg, the son of Kasim Beg (should not this be the son of Mamun Beg?; the MSS., however, agree), on the death of his father succeeded to the government of Turajak, Karatak, Shainarbazar, Milan, and Damihran, which had been allotted to his share, he applied, however, to Sultan Suleiman for assistance to recover all his patrimonial government (from Surkhab Beg), and through the assistance of Rustum Pasha, the Grand Vizier, obtained the appointment of Othman Pasha, Mir Miran of Bagdad, with an army to support him. The first operation was against the fort of Zolam, the strongest in the country; it held out for two years, and then Mahomed Beg being accidentally killed by a shot, while at the same time Shah Tahmasp sent assistance (to Surkhab Bey), Othman Pasha raised the siege and retired to Shahrizor, where he died. The garrison of Zilam at the same time evacuated the fort, and Balatjee Mahomed Pasha (?), profiting by the occasion, occupied it without resistance, and soon after by degrees got into his hands by stratagem all the other neighbouring forts and districts, holding them for the Porte. This occurred in 969 A.H. (A.D. 1561–2), and ever since Shahrizor has been included in the Turkish possessions.

Sultan Ali (Kuli?) succeeded his father, Surkhab, and died after a short rule, leaving two sons, Timur Khan and Halu Khan, both very young. Basat, another son of Surkhab, succeeded his brother, and ruled for a short time. Then the sons of Sultan Ali, who were also, through their mother, grandsons of Muntesha Sultan, Ustajlu, applied to Shah Ismail II for assistance to recover their father's country. Shah Ismael, however, dying before the matter could be arranged, Timoor Khan, eldest son of Sultan Ali, began ravaging his uncle's country, enmity being thus raised between them, Basat died and Timoor Khan succeeded, and in 988 A.H. (A.D. 1580–1) he made an offer of his allegiance to Sultan Murad Khan (III).

The Porte received him generously, granted him a present of 100,000 purses (Akchah) from the revenues of Shahrizor, and bestowed sanjaks upon his four sons; to the eldest, Sultan Ali, was given Sineh, Hassanabad, and Kiziljeh Kaleh; to the second, Bodak, Karadak; to the third, Murad, Mihrawan; and to the youngest, Shahrbazar. He also obtained Dinawer from the Persians, and became one of the first of the Turkish nobility, receiving the name of Timur Khan Pa (?); after some

time, however, in his pride and folly, he began intriguing, sometimes siding with Turkey and sometimes with Persia. He also committed great ravages on his neighbours and plundered the whole country round about until at length, having undertaken a plundering expedition against the son of Amar Beg, Kalhoor, as he was returning laden with booty from the Kalhoor country, Shahwerdie Khan, Governor of Luristan, with the son of Sherodeh (?) laid an ambuscade for him at a place called Khasar, and succeeded in destroying his forces and taking him prisoner. They subsequently released him, hoping this reverse would be a lesson, but shortly afterwards he fell out with Dowlat Tar Sultan, Siyah Munsur, about the district of Zarrin Kamar, which he asserted to belong to him, but which had been given to the other party by the Persian Crown, and an action ensued in which Timoor Khan was slain; this occurred in 998 A.H.

Timur Khan was succeeded by his brother, Halu Khan, who was a faithful servant of the Turkish Crown, but at the same time kept on good terms with Persia; he prospered greatly, and at the present time, 1005 A.H. (A.D. 1596–7), he is quietly occupied in the government of his country.

Enclosure 3 in No. 7.

OBSERVATIONS BY MAJOR RAWLINSON ON A PERSIAN MEMORANDUM RELATIVE TO THE SITUATION OF THE CITIES OF MOHAMMERAH AND FELLAHIAH.

Observations.

From the point of confluence of the Tigris and Euphrates at Korna, the river flows in a general direction of south-east to Bussorah; it is subject to few windings, and the distance has been fixed by survey at 38 miles.

If the title of Fars is here used in its general application to the province of that name the description is altogether incorrect, not a single rivulet that rises within the frontiers of the said province finding its way to the Shatt-el-Arab. The expression may, however, have a general reference to the Persian territory; and even then, the assertion that all rivers rising within that territory disembogue, like the Karun, into the Shatt-el-Arab, will require to be greatly modified—the fact is that the Karun itself does not disembogue into the Shatt-el-Arab; the main body of the river finds its way by a separate channel (the Bamishere) to the sea, and is merely connected with the Shatt-el-Arab by the artificial cut of the Hafar, on the right bank of which is situated the town of Mohammerah. Independently of this Hafar canal there is only one other stream which joins the Shatt-el-Arab between Korna and the sea and that is the Soweib, which carries off the superfluous waters of the great Hour of Howeizeh, a huge marshy lake, in which the river Choaspes or Kerkha and the minor streams of the Tib and Dowairej exhaust themselves, and which is also fed from the Tigris through the channel of the Hud.

There is much confusion in this description. The Bakhtiari rivers descending to the south-west from the culminating ridges of Ansteran Koh, Miyaneh Koh, Zardeh Koh, and Mungusht fall into three distinct channels. The Dizful river to the west, the Karun in the centre, and the Tab or Jerrahi to the east. The waters of the Feili mountains on the contrary flow on the one side into the Kerkha and form on the other side the petty streams of the Gangir, the Abi-Jestan, the Teb, and the Dowairij, which are lost in the marshy plains of Settaeene. The streams of Koh Giluyeh unite and fall into the sea at Hindiyan. The river of Shuster is the Kerkha itself, and that of Dizful joins the former at Bandi-Kir, while the river of Behahan, on which flows near Behahan, is the main stream of the Tab or Jerrahi. The general direction of these streams is south-west, and the only channels by which any part of their waters join the Shatt-el-Arab are the Soweib and Hafar.

It is begging the question altogether to lay it down as an axiom that the Shatt-el-Arab is the boundary between Persia and Turkey. Sultan Murad's treaty expressly names Bussorah as the Turkish [illegible], and under this head includes of course the acknowledged dependencies of the city which have always been the lands on either side of the Shatt-el-Arab watered by that river. The claim of Persia to Mohammerah consists in the latter city being on the Hafar, which is now a continuation of the Karun, and not on the Shatt-el-Arab, but until the present year Persia has never received Maliyat or revenue from Mohammerah.

The [illegible] by the river, which has few sinuosities, is 25 miles, and a

Persian Memorandum.*

MOHAMMERAH is situated to the east of the Shatt-el-Arab, which is formed by the junction of the Tigris and Euphrates at a village named Korna, distant 10 farsangs from Bussorah.

All the rivers, great as well as small, on the confines of Fars, flow into the Shatt-el-Arab, which continues its course till it disembogues into the Persian Gulf. The Karun is one of the streams which thus unites with the Shatt-el-Arab, the latter river passing Bussorah and forming, on the west, the boundary of Nejd and Arabistan.

The right of Turkey to the ports which are situated on the western bank of the river is not contested, but those to the east of the Shatt-el-Arab, which forms the boundary of Fars, depend upon that province.

All the rivers, great as well as small, which rise upon the borders of Fars, traverse the territory of the Bakhtiaris, of the Fili Lurs, of Karoua (?), of Koh Giluyeh, of Shuster, of Dizful, and of Behahan, and flowing towards the east ("vers l'orient") disembogue into the Shatt-el-Arab and thence into the Persian Gulf, the western shore of which is formed by Arabistan and Nejd. The Gulf and the above-mentioned river divide the two continents, and Mohammerah becomes in consequence a part of the territory of Fars, to which province accordingly it has always paid its revenue. The distance between the latter city and Bussorah is 4 farsangs by land, by water the interval may be traversed in an hour. The port of Mohammerah is situated on the banks of the Karun, a river which in its descent from Shuster becomes first a con-

* Communicated to the Foreign Office by Colonel Sheil, Her Majesty's Minister at Tehran, in his despatch No. 41, April 16, 1844 (not printed). Both Sir S. Canning and Major Rawlinson treated this memorandum as having been written by Count Medem, the Russian Minister at Tehran. Colonel Sheil, however, took pains to correct the misapprehension, and pointed out that the memorandum had been compiled by a Persian merchant (see paragraph 4 of No. 20 p. 149).

siderable stream in the neighbourhood of the former place.

A preference has been generally accorded to the waters of the Karun over those of the Tigris and Euphrates on account of their superior purity, lightness, and sweet taste. The waters of the Tigris and Euphrates are subject, it is said, to the influence of the atmosphere, becoming warm or cold according to the state of the weather, whilst those of the Karun, on the contrary, are always comparatively cool. During the great heat of summer, indeed, the water of the Tigris and Euphrates is only drinkable during the night, whereas above the junction of the Karun with the Euphrates the former stream may boast throughout the year of the peculiarly cool and agreeable flavour of its water, the inhabitants of the country affirming that they never feel the want of ice, and acknowledging that all the best qualities of a good water are to be found united in the stream of the Karun.

As Bagdad has different quarters on either side of the Tigris, so also Mohammerah is divided into two parts by the Karun. The northern quarter used to be very populous and surrounded with cultivation, and it contained also the bazaar which is now in ruins.

In the southern quarter were situated a fort, with various buildings and mosques, and the population was composed of Arabs of the tribe of Keab. The parties sent periodically by the Arab sheikhs of the Keab tribe to gather in the produce of the date groves had established many depôts on the banks of the Shatt-el-Arab for storing the fruit. Sheikh Fariss, nephew of Sheikh Thamir Khan, was entrusted with the direction of the affairs of commerce, while Sheikh Jabir acted as the political Governor of Mohammerah. Had not this country been under the rule of the Keab it would have arisen into great celebrity—the only drawback to its prosperity consisted in its subjection to the Arabs.

It contained about 6,000 houses, which were scattered along the borders of the Karun. Persians from Shuster, Dizful, Howiezeh, Behibhan, and Kazeroon, and others emigrating from Bunder Bushire and its dependencies of Bunder-Rig, steamer at ebb tide can just traverse the interval in two hours.

Mohammerah is on the Hafar Canal and not on the Karun. At ebb tide the former channel is certainly filled from the Karun, but at flood the current is reversed, and formerly the natural flow of the waters was in this direction, from west to east.

On the contrary, the Karun between Wais and Ahwaz, 100 miles above Mohammerah, is very much larger than the Hafar at the latter place.

The excellence of the waters of the Karun and Kerka, "the drink of kings," has been proclaimed by the consentient voice of all antiquity and attested by the result of all modern experience. There has been much geographical confusion as to fact, in consequence of one river having been taken for the other, but this question of identity appears to have the least possible connection with the disputed right to Mohammerah.

The ruins of Mohammerah certainly applied originally to the northern and southern quarters of the town on the Hafar Canal, but for the last twenty years at least it has been restricted to the northern division, the southern quarter having been designated as the Koot-el-Sheikh (the sheikh's castle) from its being the usual residence of the next heir to the chiefship of the Chaab tribe. Sheikh Jabir, the Governor of Mohammerah, having rebelled against the chief of Fellahiah, there has been constant fighting between the inhabitants of the two towns separated by the Hafar Canal, Mohammerah being on the mainland while Koot-el-Sheikh was on an island, and thus affording greater facilities for the dispatch of merchandise into the Turkish and Persian territory, was generally visited by traders in preference to the southern quarter.

When the Chaab possessed the territory from the sea to Girdelan their storehouses for dates were no doubt established upon the Shatt-el-Arab along the entire line, but at present I know of no depôts belonging to the tribe upon the river above the Hafar.

Sheikh Jabir being in rebellion at Mohammerah, Sheikh Fariss was sent from Fellahiah to Koot-el-Sheikh to hold him in check, they never were associated in a common government, but each ruled independently in his own quarter; Sheikh Jabir, however, addicting himself to commerce, while Sheikh Fariss was chiefly occupied in collecting the date produce of the island of Abadan.

No doubt Mohammerah possesses natural advantages of some consequence, being situated in a fertile tract immediately between the two large navigable rivers of the Shatt-el-Arab and Karun; but the population of the countries through which these rivers flow must be multiplied tenfold before the demand and supply can be such as to entitle the port to be ranked amongst the great emporia of eastern trade.

Personal examination and extended enquiries enable me to state positively the following fact regarding Mohammerah. In its most flourishing state it never contained at the utmost computation above 600 houses, probably not more than 400 of these, be it observed, were almost exclusively reed huts plastered with mud; there were four caravanserais and three temporary sheds used as coffee houses. Sheikh Jabir once brought a boat load of burnt bricks from Bussorah which he made use of in laying the foundations of his own house and one of the caravanserais, and these were the only bricks that were ever known in the place, reeds and mud were the exclusive materials used in the other buildings. The transit trade was no doubt flourishing at one time, but a comparison, even in the proportion of their relative extent between Mohammerah and our Indian capitals is preposterous in the extreme. As for the lakhs of gold and silver money in daily circulation, no one that I have ever conversed with believe it possible that there could have been at any one time a lakh of rupees collected in Mohammerah. The staples of export and import were respectively dates and rice, and at all times three-fourths of the inhabitants were Arabs.

Geuaweh, Dilem, and Rishahar assembled at Mohammerah and built bazaars, khans, caravanserais, and coffee houses. The place became so flourishing that the rent of a single room in a caravanserai amounted to 10 kurush (ain) per mensem, a sum equivalent to fifteen Shiraz rupees, and the merchants were only too glad to secure accommodation at that exorbitant rate.

Wealthy and respectable merchants in fact have certified that the condition of Mohammerah was at one time so flourishing as to rival Calcutta and Bombay, not considered in regard to its actual extent, but as being more populous and celebrated than either of the above-mentioned cities in reference to the space which they relatively occupied. Agha Abdul Mohommed, a merchant who visited Mohammerah before the expedition of the Pasha of Bagdad on certain commercial affairs of his own, has taken oath also that during his residence of one month in the place lakhs of gold and silver money were in daily circulation.

On the eastern bank of the Shatt-el-Arab from the head of the Persian Gulf as far as Girdelan, opposite to Bussorah, the port of Mohammerah occupies to the south a space of 4 farsangs. The whole of this tract produces dates and other fruits, and it also contains within its limits fourty-four forts belonging to the Keab Arabs.

Amongst the Arabs of those parts there are two particular tribes, named respectively Derissis and Ansar, who have risen into great power, and to whom is owing the ruin of Mohammerah, Jabir having been deputed by Sheikh Thamir Khan to govern Mohammerah, appropriated to himself the entire revenues which arose from the gardens without admitting the Keab Arabs to any participation. On the arrival accordingly of the Pasha of Bagdad, and enmity having at the same time broken out between the two tribes, a project was formed for the assassination of Jabir, who, however, obtaining information of the plot three days after the Pasha's arrival and before any slaughter had commenced, fled away in a boat with his family and servants. On this intelligence getting abroad, the whole population was seized with a sort of panic and cast themselves into the waters of Shatt; women and children unable to swim perished in the waves, about 4,000 souls were carried into slavery by the Arnaouts and Turkish soldiers, others saved themselves by flight. The

This geographical description is quite unintelligible, the real distance from the sea to Girdelan is about 25 miles. As you ascend the river the isle of Abadan stretches for about 50 miles on the right, and this is all Chaab territory, but quite independent of Mohammerah; then occurs the mouth of the Hafar Canal with about a mile of territory on the Shatt-el-Arab belonging to Mohammerah. Above you have for two miles the date groves of Bujaire, cultivated by the Chaab, but paying revenue to the Bawee Arabs, then occur for four miles the lands of Tamar inhabited by the Chaabies subject to Fellahiah, but paying revenue to Bussorah, and above that point the Mantifik and other Turkish subjects possess the entire territory for 10 miles into Bussorah.

The rivalry always subsisting between the two subdivisions of the Chaab tribe, named Edris and Nusara, appears to have had but little effect on the condition of Mohammerah. Hajee Jabir was of neither one tribe nor the other, and admitted few of them into his town; he formed and supported his own garrison, and as far as I have been able to ascertain was well and faithfully served by them.

This account of the capture of Mohammerah is strangely perverted. Treachery was never imputed to the garrison, nor did Jabir fly from his own people but from the Turkish soldiery. Relying in first on support from Fellahiah, which was withheld by Sheikh Thamir from jealousy of his rival's power, he rejected all overtures and determined to defend his town to the last. The place was accordingly formally invested, battered, breached, and finally taken by assault. Sheikh Jabir escaping in his boats by the Bunderee river when the Turkish troops were occupied in plundering the town.

Mohammerah was stormed on the western face, and when the troops were fairly in possession of the breach there was a general rush to the boats on the Hafar, which runs along the southern wall of the town, and numbers of persons who were without the means of flight throwing themselves into the canal were drowned; the total population of the place when it was captured, including the Arab garrison of fighting men may have been 3,000 souls, and as always occurs when a place is carried by assault, the loss of life was no doubt considerable. I have never been able, however, to collect any satisfactory information on this point, nor can I obtain an approximate estimate of the extent and value of the plundered property.

Mahommedans of Bussorah purchased many of these children for 18 or 20 kurnah a-head, and restored them to their parents.

From Mohammerah to the town of Fellahiah on the River Jerrahi, where the sheikhs of the Keab tribe have their residence, merchandise is conveyed in small boats named by the inhabitants "belem" and "shuyeh," as well as in the large boats which navigate the Shatt-el-Arab. The distance from Mohammerah to Fellahiah amounts to 10 farsangs; the usual method of performing the journey is in small boats upon the river, but the traveller can, if he desires, ride along the banks on horseback, being obliged, nevertheless, at two places to take his saddle and other property into a boat and cross his horse over the streams which oppose his progress by swimming.

The River Jerrahi, formed by the junction of three streams named respectively the Kurdistan, the Behbahan, and the Ram Hormuz, directs its course towards Fellahiah; but before reaching that city it divides itself into five branches, two of which only pass through the place. At three different spots the lands are irrigated and devoted to a large extent of rice cultivation. The country for the space of 30 farsangs presents a very compact (*très uni*) appearance, and belongs to the Keab Arabs, who are employed in every species of agriculture.

The whole territory along the course of the river is extremely fertile, the water which remains after the wants of the cultivation are supplied being carried off by a subterranean passage [?].

The plain, moreover, produces a vast quantity of reeds which are both used for fuel and in the construction of all the houses that are not intended for the sheikhs and great people.

From Arkoot Mihan, a village which is situated in the district of Zeidan, containing also seven other villages and two forts named Deh Moolah and Bunder Hindoman, as far as Fellahiah, the capital of Sheikh Thamir Khan, the cultivation of corn and green vegetables (legumes) is general. Sheikh Thamir Khan's various possessions extend over a space of ten stages upon each side [?] the lands being watered by the rivers Jerrahi and Zeidan, and the revenues which are realised from the cattle and pasture grounds accruing to the said sheikh.

Mohammerah possesses a port which, had it not been destroyed, would have become very celebrated. The whole country to the west of the Shatt-el-Arab from the Persian Gulf to Girdelan opposite to Bussorah, is included in the territory of Nejd; but Girdelan is to the east of the river, where the country, for a space of 80 farsangs, belongs to the province of Fars. Throughout all this tract the date palm flourishes, the groves in many places stretching for a space of 8 farsangs, in others being limited to 3 farsangs. Besides dates the country also, which belongs exclusively to Sheikh Thamir Khan, produces oranges, citrons, figs, grapes, pomegranates, plums, peaches, &c.

The Keab tribes of Edres and Ansar occupy the gardens on the banks of the Shatt-el-Arab, the eastern shores of which are held to be an integral part of the territory of Fars. There are forty-six forts which acknowledge the rule of the Keab Arabs.

The houses which are built within these forts and around them are constructed of earth, of bricks, and of the wood of the date tree; the buildings and edifices which surround the gardens are inhabited by the Keab subjects who are employed in gathering in the fruit. As for the rice and corn, of which the produce is very considerable, the sheikh enjoys the entire revenues.

The village of Sadireh, which is situated at the distance of 8 farsangs from Fellahiah, is one of the dependencies of the Sheikh, it may be reached either by land or by water.

Agents are maintained there by the chiefs to superintend the cultivation of the wheat and barley. The families occupied in husbandry amount to about 200.

The water for irrigation comes from the Jerrahi which runs easterly "vers l'orient" towards Fellahieh. Moshur occurs at the distance of 4 farsangs from Sadireh.

H. RAWLINSON, *Consul at Baghdad.*

The water communication between Mohammerah and Fellahiah is by the artificial canal which connects the Jerrahi with the Karun, and the navigability of this canal by vessels of a greater or less draught depends entirely on the state of the great dyke on the Jerrahi. When this dyke is in repair boloms can alone ascend the canal, when it is destroyed the usual river boats of the Karun can be tracked to Fellahiah.

I have always understood the banks of the Fellahiah Canal to be so densely covered with reeds as to be altogether impassable to a horseman.

I do not understand how the traveller would require to cross two rivers; it appears to me that between Mohammerah and Fellahiah the bed of the Karun itself would form the only obstruction.

This description of the Jerrahi is exceedingly incorrect. The Kurdistan, the Behbahan, and the Ram Hormuz are all the same, the three names being applied to the Jerrahi in different parts of its course; the only affluent of consequence that joins this river after leaving the mountains west of Behbahan is the united stream of the Ab Allah and Abi-Zerd, which falling into the Kurdistan in the plain of Ram Hormuz forms the Jerrahi, identical with the Oroatis of the ancients and the Tab of the Arab geographers. At present two branches of this river, named the Jingeri and Kolil, leaving the main stream a few miles above Fellahiah, unite and form the Nahr-i-Busi, which disembogues into the sea at the Khur-i-Mian, the remaining waters are divided between the Beleymat, the Fellahiah, and the Baghdidhee, the Fellahiah passing through the town of that name and joining the Karun about 15 miles above Mohammerah, and the other two canals being consumed in the irrigation of the Ghaab lands.

I have never heard of this "souterrain," and conclude, therefore, the allusion to be to the mere absorption of the superfluous waters.

Between the district of Zeidan, which is on the river of Hindiyan, usually named Zohreh, and formed by the united streams of the Abi-Shur and Abi-Sinirh and the rich country of Fellahiah on the Jerrahi, the interval, 50 or 60 miles in extent, is entirely desert and devoid of permanent inhabitants. It belongs to the Ghaab, but is only of value for its winter pasturage.

The general shape of the Ghaab territory is triangular, that is, taking as a base the sea coast from the mouth of the Shatt to the mouth of the Zohreh (the Bazana of antiquity), the western side will be formed by the Shatt, the Hafar, and the Karun, and the eastern by the course of the Zohreh to Deh Moolah, and by an imaginary line stretching from that point to the Karun, the point of intersection of the two sides being at Weles, which thus becomes the apex of a triangle. The extreme distance from north to south is about 100 miles and from east to west 80 miles.

The province of Nejd is the high plateau of Central Arabia, distant some 500 miles at its nearest point from Bussorah, and the name is never applied to the valley of the Euphrates.

It would appear from this that Persia claims the left bank of the Shatt and the Tigris as her boundary from the sea to near Baghdad, but I know not the grounds upon which the claim depends. At present she does not possess any territory on the river above Mohammerah. Girdelan was certainly built by Persian colonists about 100 years ago and continued with the adjoining villages subject to Bowaizah for some years after Nadir Shah's Turkish conquests; but the lands watered by the Shatt from Girdelan to the sea are, nevertheless, registered in the Bussorah records as dependencies of that city from the earliest period to which such documents ascend, and all the ancient geographical notices confirm this territorial allotment.

The village of Sadireh is on the Jerrahi about 40 miles above Fellahiah, the extreme Ghaab possession, however, on this river is Khalafabad, 15 miles above Sadireh. The country is thinly inhabited from Khalafabad to Old Howeiz, but between that point and Fellahiah the cultivation, watered by canals from the Jerrahi, continues in an uninterrupted line and may be increased to any desired extent.

The direction of the Jerrahi from Ram Hormuz to Fellahiah is south westerly, and from that point to the sea the Nahr-i-Busi runs due south.

Bunder Moshur is on the sea near the mouth of the Nahr-i-Busi; it is distant about 30 miles from Fellahiah and nearly 70 miles from Sadireh by the river.

SKETCH MAP

To illustrate the ancient and modern frontiers

— OF —

ZOHAB AND SULEYMANIEH

SULEYMANIEH

Valley of Kerradugh

Serkorneh Range

Plain of Sherrizor

Kurrer Lahet Range

Asmir Range

Range of Shirreen

DISTRICT OF HALEBJAHI

DARWAH

DISTRICT OF PISHKOH

DISTRICT OF KURATOO

ZOHAB

Broken ground

Mountain of Bafahoo

Plain of Zagros

Plain of Kurrind

Band i Serab Range

Plain of Shah-beh

Range of Kuwanish

DISTRICT OF KARADAGH

DISTRICT OF JUANRUD

DISTRICT OF DINDAR

DISTRICT OF KERMANSHAH

Mahidesht

Kohi Tiz Range

High Range of Bisheh

Range of Kilajin

SINNA

DISTRICT OF HARASAM

DISTRICT OF SEMBALA

COUNTRY OF THE GOORANS

COUNTRY OF THE KALHURS

PASHALIC OF BAGHDAD

TURKISH TERRITORY

Explanations.

Ancient frontier, as defined by Treaty

Ancient frontier, as conjectured

Frontier observed at present

No. 8.

Sir Stratford Canning to Lord Aberdeen.—(Received September 23.)

(No. 188.)

Buyukdery, August 31, 1844.

My Lord,

IN forwarding to England the memorandum* drawn up by Colonel Sheil with reference to the project of arrangement which I had previously submitted to your Lordship on the subject of the differences pending between Turkey and Persia, I was too much pressed for time to offer any remarks which a first perusal of that paper suggested to my mind. On a further consideration of its contents I am satisfied that the whole of Colonel Sheil's observations might be safely left without comment from me to your Lordship's unbiassed judgment. He has acted under a sense of duty in adding the results of his sagacity and local experience to my very imperfect suggestions; and objections coming from so respectable a source, whatever may be their real value, cannot fail of being useful in a case where the rival claims of the parties more immediately concerned are to be weighed with fairness and impartiality. Nothing, therefore, is further from my intention than to raise or to carry on a controversy respecting the merits of a plan submitted with other elements of adjudication to the mediating Courts, and the few explanatory remarks I have now to offer are principally directed to those points, which for the purpose of settlement require to be kept distinctly and practically in view. I would only premise that an arrangement to be durable must be comprehensive as well as fair, that impossibilities must not be required on either side, that the basis of compromise between equals is doubtful right, and that, if the principle of *status quo* be inadmissible as giving to one party the whole extent of territory which is seriously in dispute, no mode of adjustment remains but that of partition, determined by joint considerations of presumptive right and mutual convenience.

In tracing the outline of a compromise I certainly went upon the supposition that, in point of right, the claim of Turkey was all but substantiated as to Zohab, and more than equal to that of Persia with respect to Mohammerah, and, in point of convenience, that the interests of each party were best consulted by assigning Mohammerah to Persia and Zohab to Turkey, yet in such manner that in neither case was a total unqualified surrender recommended.

The principle of assigning to each party the territory watered by their respective rivers was suggested as a convenient and equitable mode of compromise in the neighbourhood of Mohammerah. The fullest admission of Colonel Sheil's argument as to the ancient and modern course of the Karun and Bamishere could not disturb the proposed line of frontier. At Kerrind it is not proposed to transfer the village, but only half the pass of that name, to Turkey, drawing the boundary line across the highest parts and putting each Power in possession of that declivity which faces its own dominions. If it be true that Derna only communicates with Persia by Kerrind, that circumstance must be allowed to constitute an objection to making it permanently a part of the Persian Monarchy; but this point may be ascertained by local enquiries, and in the meantime there is reason to expect that the district in question will not be found destitute of a separate mountain road connecting it directly with Persia.

If Persia is to be allowed under all circumstances to retain possession of the disputed territory because it cannot be relinquished without humiliating her Government, there is an end of negotiation and the sword alone is umpire. Possession cannot in equity stand against right, and the retention of a part with the advantage of an acknowledged title and the prospect of a durable peace can only be humiliating in the eyes of an ignorant people; and it is already proposed to save the Shah's credit in that respect by the concession of important religious privileges.

The future state of the frontier in point of weakness or strength is certainly an important consideration. I cannot presume to form a general opinion upon this point, but, according to the impression which I have derived from others, I believe that Persia would be no loser upon the whole length of boundary as lately proposed, and that she would gain decidedly in Zohab by following the mountain ridge far more than at present. It must be borne in mind that she would gain also in the moral defences of title and treaty; nor can we refuse to Turkey an equal claim to the advantage of a well-defined frontier.

* Enclosure 1 in No. 6, p. 79.

The alternative of placing Mohammerah under the rule of an independent chief is only contingent on the supposition of a valid and insuperable objection being raised to the mode of settlement originally suggested. It is manifestly an error to suppose that Persia would alone be the loser by such an arrangement. Turkey would be thereby called upon to give up the left bank of the Euphrates, and Persia would be admitted to the joint navigation of that river. It would of course be necessary to provide for the tranquillity of the independent districts by suitable stipulations.

It is obvious that much depends on the comparative value of the evidence adduced on each side in support of the respective territorial claims. I agree with Colonel Sheil that documentary evidence of a similar kind cannot be admitted in favour of one party and rejected to the disadvantage of another. It never entered into my contemplation to lose sight so entirely of the most common notions of impartiality, and I trust that there is nothing of the kind in the memorandum submitted by me to your Lordship. The Persian and Turkish plenipotentiaries have presented conflicting versions of the treaty of Sultan Murad, and it appears to me that there is no inconsistency in admitting their evidence where they agree and not admitting it where they differ—in giving them a certain value when supported by other evidence and withholding it when not so corroborated. At all events, the reports of the commissioners at Erzeroum and the documents themselves, together with the two memorandums, lie open to investigation, and it cannot be necessary for me to dwell more particularly upon the subject here.

Colonel Sheil expressly admits that "it is not easy to resist the belief that Zohab formerly did really belong to Turkey," but he has not stated under what legitimate sanction that district was subsequently transferred from Turkey to Persia.

With respect to the indemnities, the general question resolves itself into one of impracticability as to the means both of verification and of payment. Those portions of the pecuniary claims which relate respectively to Mohammerah, to Suleimanieh, and to the Vali of Ardelan's camp may be submitted to special consideration. I have not excluded, though I have given reasons for greatly diminishing, the Persian claims to indemnity for the destruction of property at Mohammerah. With respect to Suleimanieh and the vali's camp, I could not with justice have overlooked that essential difference which distinguishes the two cases. At Suleimanieh the attack was unprovoked and private property was pillaged. The attack upon the vali's camp was a necessary consequence of the position into which Ahmed Pasha had been forced by the invasion of Suleimanieh, and the pillage which followed of course was not directed against the inhabitants of a peaceable town, but sustained by an armed force defeated in open battle.

It is not without reluctance that I have trespassed even thus far upon your Lordship's patience. I have endeavoured to confine my observations to the narrowest limits consistent with a clear elucidation of the points in question. I trust, however, that I have stated enough to satisfy any impartial mind that, in chalking out a plan for the immediate settlement of all differences between Turkey and Persia, I was no less anxious than Her Majesty's chargé d'affaires at Tehran can possibly be to provide for the fair interests of Persia as well as for those of Turkey. With respect to Mohammerah, your Lordship may perhaps be of opinion that I have leaned rather too much to the side of Persia.

I have, &c.
STRATFORD CANNING.

Annex to No. 8.

Memorandum by Mr. Layard respecting the Mode of Settlement of the Turco-Persian Frontier Question proposed by Sir Stratford Canning, with special reference to Colonel Sheil's observations thereon.*

With respect to the general objections raised by Her Majesty's chargé d'affaires at Tehran to the arrangement proposed by Her Majesty's Ambassador, it may be observed:—

1. That Persia will only be deprived of territory to which the right of the Porte has been satisfactorily proved, and consequently by an act of justice.

* Enclosure 1 in No. 6, p. 70

2. That although her boundary line would in some instances be removed to the eastward, yet it is believed that her frontiers would not be materially weakened, but that, on the contrary, towards Zohab they would be strengthened and be more palpably defined. That the effect of any relinquishment of territory upon the Persian people has been taken into consideration, and that in order to obviate as far as possible this objection Her Majesty's Ambassador has recommended to the Porte the concession of many important religious privileges; and

3. That the evidence produced at the conferences has been impartially considered with reference to the claims of both parties,

Mohammerah.—It is unnecessary to enter into the question whether the Bamishere or the Goban was formerly the real outlet of the Karun, as, at this time, the Bamishere and Haffar are its true outlets, and the claims of Turkey to the land between the Bamishere and the Goban have been rejected in the proposed arrangement, although founded upon certain admissible evidence, and not resigned by the Turkish Government.

Her Majesty's Ambassador has not laid down as a general principle, but has merely suggested as an equitable and convenient principle of adjustment in this particular instance, that the territory watered by the rivers (in question) should belong to the country in which those rivers rise. The convenience and fairness of this principle are admitted by those best acquainted* with the country, and it was suggested by Her Majesty's Ambassador in order to confer upon Persia privileges and territory, her claims to which were only supported by the evidence of possession against documentary and historical evidence produced by the Porte.

The claim of Turkey to the Chaab has not been received in support of her claim to territory. The emigration of this tribe having taking place at so distant a period the claims of Turkey to it would be virtually abandoned by the proposed arrangement.

It has been stated by Her Majesty's Ambassador that the evidence of Sheikh Thamir must be received with great caution; but he cannot be rejected altogether as a witness. The historical work of El Kamoos may be put aside, and much stress is not laid upon the fact of the annual payment of a present or tribute to the Turkish authorities by the Sheikh of Mohammerah; but nevertheless the proof of this payment must be received as corroborative evidence. The documentary evidence is, however, of considerable importance, and a strong opinion as to its authenticity appears to have been formed by the British Commissioners. Major Rawlinson,* after local enquiries and historical investigation, appears satisfied with the original right of Turkey. The same opinion was evidently entertained by Macdonald Kinneir.† We have thus documentary evidence corroborated by historical notices, by the testimony of the inhabitants of the country, by the payment of a yearly tribute, and by the opinion of persons presumed competent to judge of the merits of the question, against all which is merely opposed the actual possession of Persia, without any proof of the legality or of the period of occupation. It is not understood, and certainly the Porte would not allow, that the firman issued after the sack of Mohammerah in any way admitted the right of Persia to that town.

It must be remembered that the principle of arrangement, based upon the right to lands depending upon the rivers by which they are watered is not retrospective, but is suggested as an equitable basis of future adjustment; that admitting the Chaab to be a Persian tribe, it does not follow that a town built by them upon Turkish territory confers the right of possession upon Persia; that the mediating Powers are called upon to decide according to the evidence and upon the actual right; and although it may be admitted that Persia has been in possession of Mohammerah during the present century (which, however, is very doubtful and is not proved), yet that Turkey has never relinquished her claims to that town, but has, on the contrary, continually asserted them. The conduct of the Pasha of Bagdad in sacking and slaying the inhabitants, and destroying the town, without giving notice to the Persian Government cannot be justified. The Porte declares that due notice was given, but so far is Her Majesty's Ambassador from receiving this notice as a sufficient justification that in the proposed arrangement the claims to indemnity for the destruction of property belonging to *bonâ fide* Persian subjects are fully admitted. There only remains a question of its actual value, which is believed to be greatly exaggerated by the

* [Marginal note.] See Major Rawlinson's memorandum (Enclosure in No. 1, p. 3).
† [Marginal note.] See extract quoted by Colonel Sheil (page 80).

Persian Government. It is submitted that when the right to the town of Mohammerah is liable to so much doubt, and when the claims of Turkey, founded, to say the least, upon very strong presumptive evidence, are at once rejected in favour of Persia, the claims to indemnity for the destruction of the town cannot be fairly urged by the Persian Government.

The transfer of Mohammerah to an independent Chaab sheikh is merely suggested as an alternative in case any valid objections should be raised to the first mode of settlement proposed. It is believed that this arrangement would be accompanied by many advantages; so far from Turkey being the gainer, Persia would be placed in a better position than she now is, for Turkey would be called upon to surrender the left bank of the Shatt-el-Arab, and Persia would virtually acquire the free navigation of that river, a very great advantage if, as it appears highly probable, the Bamishere should eventually be deserted by the waters of the Karun.

In the event of the Delta being placed under an independent chief, stringent measures will naturally be taken to prevent undue interference. The possibility of maintaining order will, of course, be taken into due consideration by those to whom this question is referred.

Zohab.—The reasons for accepting the evidence afforded by the copies of the Treaty of Sultan Murad, in favour of the Turkish claim to Zohab, are simply the following:—The Persian plenipotentiary has produced an extract of this treaty taken from a Turkish historical work; it is presumed that, as this document was tendered at the conferences, it was produced as evidence. The Turkish plenipotentiary has tendered a copy of the same treaty extracted from another historical work, besides various other copies, one of which is pretended to be taken from the archives of the Porte. In all of them the description of the frontier line between Persia and Turkey, so far as the district of Zohab is concerned, agrees without any variation. In the copy produced by Persia, however, certain towns in the north, such as Kars, Van, &c., are said to belong to the Shah, whilst in the copies produced by the Porte the same cities are assigned to the Sultan.* Major Rawlinson has endeavoured, in his second memorandum,† to explain this discrepancy by conjecturing that by an error some words have been omitted in the work cited by the Persian plenipotentiary, and it is an indubitable fact that the towns mentioned have, from time immemorial, been in the possession of Turkey. The minute specification of the frontier places to the south, agreeing in all the copies of the treaty, and agreeing, moreover, with documentary, historical, and *viva voce* evidence, produced at the conferences, has been accepted, if not as conclusive, at least as very strong presumptive evidence in support of the Turkish claims.

It is scarcely necessary to investigate any further the objections of Her Majesty's chargé d'affaires to the evidence produced by Turkey, particularly as they appear to be technical, and Colonel Sheil himself admits that "it is not easy to resist the belief that Zohab formerly did really belong to Turkey." The question of actual right and of equitable adjudication may safely be left to the judgment of the mediating Courts.

It is not the intention of Her Majesty's Ambassador by the proposed arrangement to transfer the town of Kerrind to Turkey. The frontier line would run along the summits of the mountain chain, dividing the pass into two parts, giving the eastern face to Persia and the western to Turkey, the town of Kerrind being considerably to the east of the pass.

The district of Zohab, according to the extracts from Macdonald Kinneir, produced at the conferences, and according to the delimitations very accurately specified in the copies of the treaty before referred to, commences at the summit of the Pass of Kerrind. In the map lately constructed by Major Rawlinson from personal observations, and from the evidence afforded by those copies of the treaty, the frontier line is thus drawn.

It is believed that although the western face of the Pass of Kerrind be given to Turkey, a line of communication will still exist between the Persian territories and the district of Darun.

* [Marginal note.] Colonel Sheil states that there are three Turkish territorial works corroborative of the claims of Persia to those cities. Only one extract has, however, been produced by the Persian plenipotentiary at the conferences. A second extract accompanies Colonel Sheil's memorandum (Enclosure 2 in No. 6, p. 82), and it will be found that in it the description of the frontiers towards Zohab agree with the Turkish copies of the treaty.

† Enclosure 2 in No. 7, p. 86.

Indemnities.—Further proof may certainly be offered in support of the Persian claims, but it is the opinion of the Russian Government that these claims cannot be substantiated or that they are immensely exaggerated. If, however, they can be proved, the proposed arrangement in no way precludes a pecuniary settlement.

The claims of Turkey to the Tribe of Chaab are not entertained in the proposed arrangement. The option of choosing their future places of residence, to be given to the Kurdish tribes is merely a suggestion which might be carried out with certain necessary limitations.

No. 9.

*Memorandum communicated by Count Nesselrode in September 1844 when in attendance on the Emperor Nicolas I on the occasion of His Majesty's visit to England.**

Le travail† de Sir Stratford Canning mérite les plus justes éloges : il facilite aux deux Puissances médiatrices l'examen des questions en litige. Pour les résoudre à l'amiable, il faut engager les parties directement intéressées à en venir à un accommodement en se désistant des deux côtés de leurs prétentions exagérées, et en faisant l'une à l'autre des concessions mutuelles.

Afin de parvenir à ce résultat, il faut une certaine *réciprocité* de concessions. Sous ce rapport, le travail de Sir Stratford Canning réclame peut-être quelque modification. Tel qu'il est, les Persans ne se décideraient pas à l'accepter.

En effet, ils sont en possession de Mohammérah et de la rive gauche du Chatt-el-Arab ; de plus, ils occupent en entier la province de Zohab.

Or, Sir Stratford Canning proposerait d'adjuger à la Turquie la rive gauche du Chatt-el-Arab, et en outre la possession d'une grande partie de la province de Zohab, avec le chef-lieu de ce nom et l'important défilé du Kérind. Pour décider les Persans à s'en dessaisir qu'est-ce qu'on leur offre à titre de compensation ? On leur adjuge le district de Darna, qui déjà se trouve en leur possession. Sans nul doute, la validité du titre en vertu duquel ils possèdent ce district, est contestée par la Turquie ; mais il n'en est pas moins constant que les Persans ont en leur faveur le droit de possession, et on ne parviendrait guère à leur faire envisager comme une compensation réelle, l'abandon d'un territoire qu'ils occupent déjà depuis longtemps.

Les propositions de Sir Stratford Canning relatives à l'arrangement territorial à conclure, paraissent donc avoir besoin de quelque amendement, afin de les rendre acceptables à la Cour de Téhéran.

Dans ce but ne serait-il pas préférable :

1. De laisser les Persans en possession de Mohammerah et de la rive gauche du Chatt-el-Arab, avec le droit de libre navigation sur ce fleuve qui est, en réalité, le seul débouché offert par la nature pour l'écoulement des produits de l'industrie agricole et manufacturière des provinces méridionales de la Perse. Les traités turco-persans ne faisant aucune mention des lieux situés au-dessous de Bassorah, toutes les inductions qu'on pourrait tirer de ce silence, sont naturellement sujettes à controverse : elles peuvent être plus ou moins spécieuses, mais elles ne sauraient jamais aboutir à établir un droit clair et incontestable en faveur de l'une ou l'autre partie. Dans l'incertitude qui existe à ce sujet, il ne reste guère qu'un parti rationnel à prendre : c'est de s'en tenir à un *fait patent*, tel que celui de l'état de possession actuelle qui milite puissamment en faveur du maintien de la frontière sur le Chatt-el-Arab.

2. Partant du même principe, maintenir les Persans dans la possession de la province de Zohab dont ils jouissent depuis nombre d'années.

L'instrument original du traité du Sultan Murad IV, qui établit la démarcation entre la Turquie et la Perse, n'ayant pu être retrouvé, les plénipotentiaires ont produit deux versions divergentes quant au district de Zohab. Quoiqu'il en soit, ces textes établissent néanmoins une présomption légale en faveur des droits de la Porte. Dès lors le Divan serait fondé à prétendre à une compensation pour sa renonciation définitive à la province de Zohab actuellement occupée par les Persans. A cet effet :

3. Le Schah renoncerait purement et simplement à toute prétention à la possession de Souleïmanieh qui se trouve actuellement au pouvoir des Turcs ; il renoncerait également à sa prétention de prendre part à la nomination du Pacha de Souleïmanieh.

4. Il renoncerait à la somme très considérable qu'il réclame pour le sac de Mohammerah, et à toutes les autres indemnités pécuniaires, revendiquées du chef des incursions commises à main armée sur territoire persan par les peuplades nomades sujettes de la Porte.

Cet arrangement aurait le grand avantage de n'introduire rien de nouveau, et de laisser les choses dans l'état où elles sont. Toute combinaison qui serait basée sur la rétrocession du district de Zohab aux Turcs, et sur le payement des indemnités réclamées par la Perse, offrirait des difficultés insurmontables en pratique :

* See the Earl of Aberdeen's despatch No. 148 of September 13, 1844, to Sir Stratford Canning, No. 10, p. 113.

† See Sir Stratford Canning, No. 70, April 27, 1844, No. 2, p. 25.

D'une part, il est certain que les Persans ne consentiront pas à évacuer la province de Zohab, à moins d'en être expulsés par la force des armes; de l'autre, la Turquie ne pourrait, vu la pénurie de son trésor, payer au Schah les sommes qu'il réclame, quand même elle voudrait s'y prêter, ce qui n'est guère probable non plus. L'arrangement qui vient d'être exposé élude ces deux difficultés; il ne substitue pas une combinaison plus ou moins arbitraire à un ordre de choses déjà existant, basé sur le principe de l'*uti possidetis*, il maintient le *statu quo*, auquel il est destiné à donner désormais la sanction d'un traité à conclure entre les deux Puissances musulmanes, sous les auspices de la Russie et de l'Angleterre.

La Cour de Téhéran aurait en outre à offrir à la Porte une compensation équitable, en se prêtant à la conclusion d'un nouveau tarif par lequel la valeur des marchandises soumises au payement des droits de douane en Turquie, serait déterminée d'après un taux plus élevé qu'il ne l'est jusqu'ici, et d'une manière plus équitable, en proportion de la valeur réelle des marchandises.

De son côté, la Porte, en retour de cette concession, consentirait à accorder au Gouvernement du Schah les avantages que Sir Stratford Canning propose de stipuler en faveur des pèlerins persans, des agents consulaires, &c.

Le tableau ci-joint récapitule dans leur ensemble les concessions que les deux Puissances musulmanes auraient à se faire réciproquement, d'après le plan ci-dessus indiqué.

Si les moyens de négociation que nous venons de suggérer paraissaient offrir quelque chance de réussite, ne conviendrait-il pas de les communiquer à Sir Stratford Canning, afin qu'il les soumette à un examen plus approfondi, de concert avec le Ministre de Russie? Après avoir assis leur opinion sur ces idées, en les complétant selon les circonstances locales, les représentants de Russie et d'Angleterre à Constantinople, transmettraient le résultat de leurs délibérations aux Ministres des deux Cours à Téhéran, en les invitant à prendre ce travail en mûre considération, et à suggérer, de leur côté, les modifications dont il pourrait être susceptible pour le rendre acceptable aux Persans.

Entre les deux légations à Téhéran et les représentants de Russie et d'Angleterre à Constantinople, il s'établirait ainsi un échange direct d'idées, afin d'en venir à une conclusion finale qui, à l'avis de nos Ministres, serait considérée comme devant être mutuellement satisfaisante pour la Turquie et pour la Perse, sans avantager l'une de ces Puissances au détriment de l'autre.

Lorsque nos légations seront parvenues à s'entendre sur les bases définitives de cet accommodement, alors les Cabinets de Saint-Pétersbourg et de Londres pourraient procéder à faire simultanément à Constantinople et à Téhéran une communication conçue à peu près dans les termes suivants. Ils déclareraient:—

Que les deux Puissances, déférant au désir de la Turquie et de la Perse, ont recherché les moyens les plus équitables pour opérer un rapprochement entre elles;

Que dans ce but, les Puissances médiatrices regardent les bases de l'arrangement qu'elles suggèrent, en commun, comme renfermant les meilleurs éléments d'un transaction honorable et satisfaisante pour les parties intéressées;

Qu'elles recommandent amicalement les bases de cet accommodement à leur acceptation;

Qu'elles laissent aux deux Cours un délai de mois pour examiner mûrement ce plan;

Que si toutes les deux l'acceptent, l'affaire se trouvera complètement terminée;

Que si la Turquie et la Perse—dans l'espace de mois—parviennent à s'entendre de gré à gré, sur telle modification de ce plan qui pourra leur convenir, les Puissances médiatrices souscriront volontiers à cet amendement, leur unique désir étant de faciliter entre les deux parties directement intéressées un arrangement à l'amiable;

Que si—à l'expiration des mois—la Turquie et la Perse, ne parviennent pas à s'entendre, les Puissances médiatrices se verront obligées à regret de discontinuer leurs bons offices et de rappeler leurs commissaires; mais qu'alors elles n'en persisteront pas moins à regarder les deux Puissances musulmanes comme moralement tenues envers elles de s'abstenir de la reprise des hostilités, jusqu'à ce que leurs différends soient aplanis entre elles à l'amiable;

Que celle des deux parties qui la première reprendrait les hostilités resterait sous la responsabilité de cet acte et deviendrait passible des indemnités que l'autre partie

serait alors en droit de réclamer; enfin que, de concert, la Russie et l'Angleterre, le cas échéant, se réserveraient de se prononcer en faveur de celle des parties qui, demeurée paisible, se serait trouvée dans la nécessité de repousser une injuste agression.

Une déclaration conçue dans ce sens contribuerait peut-être à accélérer la solution du litige entre les deux Puissances musulmanes, et les empêcherait du moins de se livrer à de nouveaux actes d'hostilité, de crainte d'attirer sur elles les conséquences fâcheuses d'une rupture dont la responsabilité retomberait sur l'agresseur.

Enclosure in No. 9.

Projet d'Accommodement entre la Turquie et la Perse, basé sur un Système de Concessions mutuelles.

La Perse—	*La Turquie*—
Reconnaît à la Turquie le droit de rester en possession de Souleïmanieh; elles renonce à toute prétention à ce territoire; elle se désiste en outre de sa demande de prendre part à la nomination du Pacha de Souleïmanieh; de plus, elle renonce à l'indemnité considérable qu'elle réclamait pour le sac de Mohammerah, ainsi que pour les incursions et dépréda-tions commises à différentes époques sur son territoire;	Reconnaît à la Perse le droit de rester en possession de la ville de Mohammerah et de la rive gauche du Chatt-el-Arab, de même que du district entier de Zohab que les Persans occupent depuis nombre d'années, et elle renonce en conséquence à ses prétentions sur ces territoires. Elle se désiste en outre de toute demande d'indemnité pécuniaire à la charge de la Perse;
Consent à conclure avec la Porte un nouveau tarif par lequel le prix des marchandises sera évalué d'une manière proportionnée à leur valuer actuelle;	S'engage à accorder aux pèlerins persans, et aux agents consulaires nommés par le Schah, les immunités et avantages dont Sir Stratford Canning a indiqué l'objet;
Elle admet quant aux schah-zadés réfugiés en Turquie une exception aux stipulations existantes relativement à l'extradition des transfuges, et consent à ce que la Porte leur accorde un asile aux conditions indiquées en regard.	Promet de fixer à Andrinople la résidence des schah-zadés, sans leur laisser la faculté de s'en absenter, ni d'entretenir des relations clandestines avec la Perse. Elle contracte formellement cet engagement envers la Cour de Téhéran comme envers les Puissances médiatrices.

De part et d'autre, les deux Puissances adopteraient les vues exposées dans le mémorandum de Sir Stratford Canning sur les points de détail ci-après:—

Les arrérages des droits de pâturage;

Les mesures de surveillance à prendre pour mettre un terme au brigandage des nomades sur les frontières des deux États;

L'établissement de postes militaires sur les frontières;

La responsabilité réciproque des deux Gouvernements pour les incursions qui seraient commises à l'avenir par les tribus nomades sur le territoire de l'un ou l'autre pays.

La restitution des fugitifs, &c.

No. 10.

Lord Aberdeen to Sir Stratford Canning.

(No. 148.)

Foreign Office, September 13, 1844.

Sir,

I ACQUAINTED your Excellency, in my despatch No. 102 of the 2nd July, that I proposed to take advantage of the presence of Count Nesselrode in this country to communicate fully with his Excellency on the present state of the negotiations between Turkey and Persia.

I accordingly placed in his Excellency's hands the memorandum enclosed in your despatch No. 70 of the 27th April, and within these few days I have received from him the memorandum* of which I enclose a copy, explaining the opinion at which he has arrived on the merits of the case as between the Turkish and Persian Governments, and the course which he conceives can most conveniently be followed by the British and Russian Governments for finally bringing about a reconciliation between the two Mahommedan Powers.

Count Nesselrode, I am happy to say, does full justice to the great ability which your Excellency has shown in placing the case before the two mediating Powers in a shape to admit of their forming a clear conception of its several features, and while his Excellency agrees in many respects with the suggestions offered by you, he has, in some particulars, suggested modifications which appear to him more likely to conciliate the fair claims of the respective parties.

Her Majesty's Government are disposed to view these modifications with favour, but they entirely concur in Count Nesselrode's suggestion that the representatives of the two Courts at Constantinople should be instructed to examine together into the expediency of adopting the compromise suggested in the enclosed memorandum, and after having formed their own opinion thereupon, and adapted it to their own views, that they should communicate fully with their colleagues at Tehran, and request them on their part to pursue the same course.

When the result of this examination shall have been communicated by the Ministers at Constantinople and at Tehran to their respective Governments, the latter will then decide on the final instructions to be given to their representatives at those Courts, and Her Majesty's Government, as at present advised, are disposed to be of opinion that the suggestion of Count Nesselrode as to the manner in which the views of Great Britain and Russia shall finally be made known to the parties more immediately interested in the matter is worthy of adoption, as being well calculated to produce a salutary effect on the councils of the Turkish and Persian Governments.

Your Excellency will understand that Her Majesty's Government invite the fullest examination of, and the most unreserved comment on, the suggestions contained in the enclosed papers, both on the part of your Excellency and on that of Lieutenant-Colonel Sheil. I do not write to Colonel Sheil on the subject, because it appears to me best that the first notice of the plan of the two Governments should reach him, accompanied with the observations of yourself and M. de Titow; but when the time comes for communicating with him you will forward to him a copy of this despatch, for his information and guidance, together with copies of the papers enclosed in it, and Colonel Sheil will consider the despatch reaching him in that shape as addressed equally to himself.

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* No. 9, p. 109.

No. 11.

Sir Stratford Canning to Lord Aberdeen.—(*Received November 27.*)

(No. 239.) *Bunukdery, November 1, 1844.*

My Lord,

AGREEABLY to your Lordship's instruction No. 148* of the 13th September, I have communicated with M. de Titow respecting the proposed modifications of the project of compromise which I had the honour of submitting to Her Majesty's Government for the conclusive settlement of the pending differences between Turkey and Persia. In concert with the Russian envoy, I have considered with close attention the arguments employed by Count Nesselrode, and the several important questions comprised in his Excellency's memorandum. It cannot be necessary for me to say that I have performed this duty with every sentiment of respect due to so experienced a statesman, and to the high position which he occupies in the councils and confidence of his Sovereign. I have also performed it under a deep sense of the importance of maintaining a perfect harmony of opinion between the two mediating Courts, and with an earnest desire to facilitate the execution of what may be presumed to be an object of preference to Her Majesty's Government.

I feel at the same time that as "Her Majesty's Government invite the fullest examination of, and the most unreserved comment" on, the suggestions contained in the two papers communicated by Count Nesselrode, it is imperative on me to place before your Lordship the deliberate result of my enquiries and reflections upon the whole subject after discussing them fully with the Russian envoy. It cannot, however, be requisite for me to go into much length for this purpose, considering the ample statements with which I have already trespassed on your Lordship's indulgence.

The compromise which would be effected by the adoption of Count Nesselrode's modifications has no doubt the merit of great simplicity. It cuts at once through any difficulty connected with the territorial and pecuniary questions, and reaches a positive conclusion by the most direct line. But, unfortunately, the reason which is alleged against the original propositions is equally available for the rejection of the modifications. If the consent of Persia is not to be expected in the one case, the refusal of the Porte may be equally anticipated in the other.

It is true that no plan of settlement attended with a sacrifice would ever be willingly accepted either by Turkey or by Persia. But the proposed modifications are liable to objection on other grounds. They might seem inconsistent with professions of the mediating Powers. They might be thought to pass too lightly over the evidence afforded by the conferences at Erzeroum. Could the Porte be expected to acknowledge as impartial an agreement which would assign to her opponent the whole of the substantive objects of claim, and in return only secure her from the repetition of demands which it would be no less difficult to establish than impossible to pay? Would the mediating Courts be prepared, under such circumstances, to persist in laying an effective restraint on the determinations of the Turkish Government? No one, however, who is at all acquainted with the character of Eastern Courts, will doubt the necessity of supporting any unpalatable advice which may be addressed to them by adequate motives of interest or of fear. But if the only appropriate lever is to be applied with effect in the present case, it must be used with such manifest impartiality as to obtain the sanction and moral force of an approving public opinion.

With respect to Mohammerah, it may be granted that the Turkish claim, though in some degree preferable to that of Persia, is too uncertain to be made good against a continued occupation of eighty years either by Persia itself or by a tribe whose head-quarters have been situated within the Persian territory twice the length of that period. With the exception of a clause in the treaty of Murad IV. assigning Bussorah to Turkey, there is no stipulation relating to the possession of Mohammerah in favour of either party. The principle of *uti possidetis* may therefore be applied to that district without injustice, though care should be taken to give it no extension unwarranted by fact. The Persians are not in possession of the left bank of the Shatt-el-Arab higher than Mohammerah, nor can they navigate any part of that river without being liable to the duties levied on shipping and merchandise by the Ottoman

* No. 10, p. 113.

authorities. From the collection of these duties an annual revenue of some amount accrues to the Pashalik of Bagdad. According to the modifications, Turkey would be called upon to renounce a portion of this revenue for the advantage of Persia, and, besides renouncing her claim to the town and delta of Mohammerah, and recognising the title of Persia to both these possessions, she would also have to alienate from her sovereignty a fertile, well-peopled, well-cultivated district of sixty miles in length by four or five in breadth, and perhaps even to withdraw its inhabitants, who belong to tribes dependent on her authority.

Such are the impressions which I deliberately entertain respecting Mohammerah. Nor can I conceal from your Lordship my conviction that if the province of Zohab were allotted permanently to Persia, a real violence would be done to the presumptive rights of the Porte. The original of Sultan Murad's treaty has not indeed been produced, and therefore the right of Turkey is still deficient in that kind of proof which admits of no question. But a moral persuasion of its justice results from the facts which have been exhibited, and Persia has little to plead in her own favour beyond a disputed possession of twenty-two years. The copies of the treaty respectively given in by the plenipotentiaries at Erzeroum, contradictory as they are in other respects, agree in assigning to Turkey several places on the eastern frontier of Zohab. From the period of Murad IV's treaty to the invasion of Mohammed Ali Mirza the Sultan's authority prevailed with few intervals in that province. Even the conquests of Nadir Shah terminated in a treaty, which was followed by the restoration of Zohab to Turkey, and its uninterrupted continuance under Ottoman rule for nearly seventy years. Its subsequent recovery by Persia was an act of violence, and in general the Turkish occupations of the province appear to have been peaceable, while those of Persia have been accompanied with force. It may be added that the Persian plenipotentiary has offered no explanation of the grounds on which his Government effected its present occupation of Zohab, and that the political embarrassments of Turkey, beginning with the Greek insurrection in 1820, sufficiently account for the Porte's reluctance to assert its rights by an appeal to arms.

With these points of evidence, historical and documentary, in view, to say nothing of less striking, though not unimportant, circumstances, it is difficult to deny that a presumption, only short of absolute proof, exists in favour of the Turkish claim to Zohab; and such being the case, it would hardly be fair, and still less consistent with the aim and result of the conferences, to confirm for ever a mere unwarranted occupation of that territory without a corresponding concession of real and equivalent importance.

But no such equivalent appears to be offered. The indemnities were discarded from the first by those who were not unfriendly to Persia as susceptible neither of being substantiated nor of being paid. The difficulty of substantiating them in any definite amount is evident from the variety of calculations made respecting those which relate to Mohammerah. The Court of Persia has at one time demanded 1,000,000*l.*, at another half that sum. Count Medem estimates the commercial loss at 125,000*l.*; while persons of high respectability who have been on the spot and there investigated the facts affirm that the Persian loss did not exceed a tenth of the latter sum.

In fact, it appears on testimony, which there is no reason to doubt, that the number of houses at Mohammerah never amounted to 500, and probably never much exceeded 400. That, with the exception of the Governor's residence and one caravanserai which had foundations of brick, all the buildings were composed of reeds plastered with mud; that the number of souls in the place amounted at most to 3,000, including the Arab fighting men; that three-fourths of the total population were Arabs, and that at no time, as Major Rawlinson, in his remarks on a paper* transmitted by Count Medem observes, could a lac of rupees (from 10,000*l.* to 12,000*l.*) have been collected in the town. It may be added, from the reports of the conferences at Erzeroum, that many of the merchants had removed their property before Mohammerah was attacked, and it is well known that the staples of export and import at that place were respectively dates and rice, commodities which must have been collected in vast quantities to reach any considerable value.

The indemnities claimed by Persia for incursions upon her territory to the north of Zohab are vague and doubtful, not only in point of amount, but also of fact and

* This paper was a Persian Memorandum communicated to the Foreign Office in Colonel Sheil's despatch No. 41, April 10, 1844. It is printed, together with Major Rawlinson's observations, as Enclosure 3 in No. 7, p. 97. (See also foot-note on that page.)

responsibility. In some of the stated instances the Porte appears to have given redress by attacking the invaders or indemnifying the sufferers. It may also be presumed that she has counter-claims, and it is certain that she has refused from the first to enter into any discussion upon the subject.

With respect to Suleimanieh, the territorial claim is a mere pretension, not even resting on plausible grounds, and known to be already abandoned by Persia; the claim to a share in the appointment of the Governor is untenable on the ground of right, in practice most objectionable, and at best a make-weight in the balance of concessions. The only remaining compensation, a tariff more profitable to Turkey, is itself counterbalanced in the memorandum of modifications by the religious privileges proposed to be granted to Persia by the Porte.

As to any difficulty which may attach to the evacuation of Zohab by the Persians, it may be asked why the difficulty should be greater now than at former periods?

I have already given it as my opinion that there is no insuperable objection to the recognition of Persia as Sovereign of the town and delta of Mohammerah with the left bank of the Shatt-el-Arab for her boundary from the sea to that town. I have also stated my reasons for thinking that the province of Zohab ought in justice to revert to Turkey. As for Suleimanieh and the other places towards the northern extremity of the frontier, the pretensions of Persia are unworthy of serious consideration. The Court of Tehran has itself expressed a laudable readiness to give them up; and the renewed claim to a share in the appointment of the Pasha at Suleimanieh has been justly characterised by Colonel Sheil.

With respect to the indemnities, I am persuaded that the view taken by Count Nesselrode is correct, in so far as their reciprocal abandonment is concerned. To abandon them in the mass would, however, be no longer in keeping with the territorial arrangement if a principle more strictly equitable than *uti possidetis* be adopted for the settlement of that question. Yet in other ways a similar result might be effected without a shadow of injustice. Enough has been said to exhibit in their true colours the vague, undefinable character and exaggerated amount of the pecuniary claims. Those which relate to Mohammerah would naturally disappear, on the principle proposed more at large by Count Nesselrode. The *uti possidetis* would be applied to that district, and the whole pecuniary claim would be withdrawn as an equivalent for the whole territorial claim relinquished by Turkey. In Zohab the case would be different. But the mountainous part of that province might be permanently attached to Persia in consideration of the additional security for peace to be derived from an improvement of the frontier, and the old unadmitted claims to indemnity for frontier incursions would be dropped by Persia in return for that advantage and the enjoyment of the revenues of Zohab during twenty-two years of unsanctioned occupation. Upon the same principle the Turkish claim to indemnity for the pillage of Suleimanieh would be extinguished by the general renunciation of every claim upon that province by the Court of Persia. There is reason to believe that the district of Derna, awarded to Persia, according to the proposed arrangement for Zohab, would be found to contain the tribe of Gouran, whose supposed residence in the plain has been made an objection to the recovery of that part of the province by Turkey.

The Vali of Ardelan is manifestly destitute of any fair title to compensation. He was the aggressor; the attack on his camp was a matter of necessity originating in his own conduct, and its plunder which followed was the natural and inevitable consequence of the attack under such circumstances.

Having thus disposed of the territorial and pecuniary claims, with the single exception of the pasturage dues, which it would not be difficult to estimate and to settle, either by payment of a fixed sum or by the concession of a term of free pasturage, there remain only three questions at all calculated to produce any serious difference. Of these the question which regards the Persian princes in Turkey contains in itself the elements of a compromise, and the course suggested in Count Nesselrode's memorandum has the advantage of having been already accepted in the conferences. It is proposed in the same memorandum that Turkey should meet the wishes of Persia with respect to certain religious privileges as a compensation to Persia for consenting to a higher rate of tariff on the value of Persian exports paying duty in Turkey. Without determining beforehand the precise shape which it might ultimately take, this proposal might be adopted as furnishing a basis for the adjustment of both questions.

Religious privileges and commercial advantages cannot, indeed, easily be brought into comparison with each other, but it must not be forgotten, in the spirit of strict

impartiality which is meant to characterise these suggestions, that while nothing is at all likely to be conceded by a tariff to which Turkey is not fairly entitled on general considerations, privileges of a religious character are not only objects which the Mahommedans of Sunnite tenets would yield with much repugnance, but acquisitions which, being proportionably prized by the people of Persia, would do the highest credit in their estimation to the Persian Government and its Sovereign.

The private claims to indemnity for losses sustained by individual merchants, pilgrims, or travellers can only be referred to a special commission, without opening a source of interminable delay and difficulty to the conclusion of the negotiations. A positive stipulation in the treaty concluded under the auspices of the mediating Powers, and accompanied with suitable provisions for an effectual accomplishment of the object in view, could hardly fail of securing to each Persian claimant the amount of compensation to which he could establish a fair title.

Such, my Lord, is the view of this extensive subject which I feel myself bound to offer. I am far from presuming to set any greater value on my conclusions than what they may derive from being clear and impartial. I propose to go over the ground once more with M. de Titow as soon as he has leisure for the discussion, and as I have placed in his hands the more important materials out of which I have formed my own judgment, I am inclined to hope that his impressions will ultimately be found not to differ essentially from mine. His arguments in favour of a strict adhesion to Count Nesselrode's plan of settlement have only failed of convincing me because I was unable to reconcile them with my conception of the facts and of the duty which we have been called to perform.

I reserve for another occasion whatever observations I may have to submit with reference to the course of proceeding proposed to be adopted by the mediating Courts in their subsequent communication with the Governments of Turkey and Persia. At present I am inclined to apprehend that it will not operate with sufficient weight of authority on those Powers, and that the practical result of the experiment is but too likely to be indefinite prolongation of that unsettled and precarious state of things which even now, with the aid of the conferences, it is at times no easy task to maintain.

The Porte, it should be borne in mind, has hitherto evaded the engagement contracted by Persia, and it remains to be seen how far she will be content to respect the mediation when she ceases to cherish the hope of deriving a substantial advantage from its influence. It were superfluous to add that a failure of the whole negotiation could hardly occur without entailing consequences which are greatly to be deprecated.

I have, &c.
STRATFORD CANNING.

No. 12.

Sir Stratford Canning to Lord Aberdeen.—(Received November 27.)

(No. 240. Confidential.)

Buyukdery, November 2, 1844.

My Lord,

AT the first interview which I had with M. de Titow after the receipt of your Lordship's instruction No. 148 respecting the Turco-Persian negotiations,* his Excellency read to me a paper drawn up by Count Medem, the Russian envoy at Tehran, containing his remarks on my suggestions for effecting a compromise between the negotiating parties. This paper, being of considerable length, and in some parts not very intelligible, I requested M. de Titow to leave it in my possession, and it was only on a second and more leisurely perusal that I discovered the cause of his reluctance to comply with my request. Your Lordship will perceive that Count Medem has occasionally conveyed his opinions in a tone and language more flippant than are usually employed in diplomatic compositions, and it was no doubt a sense of propriety and good feeling which led M. de Titow to smooth over those passages which he thought not unlikely to give offence. I make no complaint and take no umbrage at a document which in all likelihood was intended exclusively for Russian eyes, and knowing how desirable it is to avoid every temptation to retaliate in cases where a common object of great interest and benevolence is to be effected by common exertions, I requested Mr. Layard, who is perfectly acquainted with the whole subject matter of these negotiations, to put upon paper in the form most likely to prove convenient to your Lordship the remarks by which I deemed it indispensable to correct those errors of fact, of reasoning, and of statement, into which Count Medem appears to have been betrayed by his zeal for Persian interests, and his mistrust of my opinions. It will appear, I hope, to your Lordship, as it does to me, that Mr. Layard has performed his task with clearness, ability, and candour.

A copy of Count Medem's observations, with the accompanying notes by Mr. Layard, is enclosed herewith, and I am the more desirous of bringing them to your Lordship's notice as the former are evidently the source of Count Nesselrode's suggestions, and to all appearance the complement of whatever notions on the subject of the pending discussions are entertained by the Russian Legation at Tehran.

I have, &c.
STRATFORD CANNING.

Enclosure in No. 12.

Observations sur le Mémorandum de Sir Stratford Canning, concernant les bases d'une solution arbitrale du Litige turco-persan.

Dans les considérations préliminaires de son travail, M. l'Ambassadeur appuie avec raison sur la difficulté d'établir une opinion précise à l'égard de la validité des prétentions qui forment l'objet du différend entre la Turquie et la Perse. Aucune des deux Puissances musulmanes ne possède de documents authentiques (†) en faveur de ses réclamations, aucune d'elles n'a pu retrouver dans ses archives l'instrument du traité conclu en 1639 entre Schah Séfi et Mourad IV sur lequel reposent les conventions subséquentes de 1746 et 1822, et cependant toutes les deux invoquent à la fois le même traité à l'appui de leurs prétentions territoriales mais d'une manière toute contradictoire et dans un sens diamétralement opposé.

Le traité de 1639 paraît avoir été égaré par le Gouvernement persan à la suite des bouleversements intérieurs du pays, il ne fonde aujourd'hui ses prétentions que sur l'autorité de deux ouvrages imprimés à Constantinople, l'un est un atlas de l'année 1803, et l'autre la géographie de Kiatib Effendi, publiée sous le règne de Moustapha III, où le traité de 1639 se trouve reproduit. Le Cabinet ottoman ne reconnaît point l'authenticité de ces deux ouvrages, mais il produit de son côté, en faveur de ses réclamations, des pièces qu'il assure avoir été extraites des registres officiels de la Porte, ainsi que des ouvrages appelés les Annales de Naïma et El Kamous, documents dont la Perse conteste à son tour la validité.

Les renseignements fournis ainsi de part et d'autre sont puisés tous à des sources fort incertaines, ne présentent qu'inexactitude et contradiction manifeste, et empêchent de se former une conviction entière et complète au milieu de ce dédale. Aussi ne

(†) The authenticity of the documents relating to Mohammerah taken from the archives of Bussorah and of the firmans relating to Zohab has not been questioned.

* No. 10, p. 113.

reste-t-il qu'à rejeter dans leur ensemble tous les documents,(a) sans admettre une seule des preuves produites, et sans en tirer aucune induction quelconque favorable ni défavorable pour l'une ou l'autre des deux parties contendantes. Les témoignages verbaux produits au congrès par le plénipotentiaire ottoman, comme les cartes qu'il a exhibées, ne méritent pas plus de confiance ; quant à ces dernières, on se rappelle des subterfuges employés par Enveri Effendi pour surprendre la bonne foi des commissaires médiateurs, et leur présenter comme authentique une carte du Chatt-el-Arab, attribuée à un ingénieur turc, Essad Effendi, qui n'avait jamais visité ces lieux ; et pour ce qui est des dépositions de quelques sujets turcs, en faveur des prétentions de la Porte sur Mohammerah et des déclarations de Sheikh Tamar (Thamir) de Tchaab (Kaab) réfugié persan, elles ne sauraient être d'aucune valeur, dans des pays où les témoignages s'achètent à vile prix. C'est cette considération qui nous a empêché, M. le Colonel Sheil et moi, d'insister auprès du Gouvernement persan sur la production de pareils témoignages, obtenus d'individus subornés, dont les dépositions serviraient bien plus à nous induire en erreur qu'à éclairer notre religion.

Selon les assurances de Hadji Mirza Aghassi, le traité signé entre Schah Séfi et Mourad IV aurait été conclu sous les auspices et par la médiation de l'Autriche. Si le fait est exact, il serait à présumer qu'une traduction du traité se trouverait dans les archives de Vienne, et qu'il y aurait possibilité de s'en procurer une copie vidimée.* Un tel document ferait cesser toutes les incertitudes qui planent sur le litige turco-persan. Mais tant que dureront nos hésitations actuelles, tant que nous manquerons de preuves irrécusables pour asseoir nôtre jugement, je ne saurais partager la conviction de M. l'Ambassadeur d'avoir pu au milieu de ce labyrinthe inextricable de citations et de contre-citations discerner le vrai du faux et se persuader "que les prétentions territoriales de la Turquie étaient en partie fondées sur l'évidence et les traités, tandis que celles de la Perse ne reposaient que sur des bases bien peu solides."

1. *Mohammerah.*—Les traités entre la Turquie et la Perse ne paraissent avoir rien précisé sur le droit de souveraineté de cette ville, ni sur les autres localités situées au-dessous de Bassora. Les bérats de certains Sultans exhibés par Enveri Effendi, constatent, il est vrai, que ces lieux ont été occupés temporairement et à différentes reprises par la Porte, mais en démontrant ni le droit de possession lui-même, ni ne contestent qu'une autorité souveraine ait aussi été, dans les temps les plus reculés, exercée alternativement par la Perse sur ces mêmes endroits, qui ont également été soumis à certaines époques à la domination des Arabs du Tchaab.

Tant Mohammerah que le Delta sont actuellement en possession de l'Iran, qui l'occupe *de facto* depuis quatre-vingts ans.(b) Le Major Rawlinson, dans un travail†

(a) The entire rejection of all the evidence produced at the conferences would be manifestly unjust. It will be remembered that, with the exception of the extracts from the treaty of Sultan Murad, all the documentary and *viva voce* evidence is in favour of Turkey. Persia has produced neither the one nor the other in support of her claims. The documentary evidence could only be rejected if strong doubts, justified by facts, existed as to its authenticity. Such doubts do not appear to exist in the minds of the commissioners with respect to the documents produced from the archives of Bussorah and the firmans relating to Zohab. The only objection that can be advanced against them is that they merely prove a temporary possession, and the validity of this objection may be questioned. (Despatch from British commissioners to Sir S. Canning, dated August 3, 1843—Sir S. Canning's memorandum.) The reasons for the qualified acceptance of the copies of the treaty of Sultan Murad IV have been fully stated in the observations upon Colonel Sheil's memorandum. Although the evidence given by the *actual hereditary chiefs* of the Chaab tribe and of Zohab must be received, as particularly observed in Sir S. Canning's memorandum, with due caution, yet surely it cannot be altogether rejected, especially when corroborated by other evidence. The acceptance or rejection of witnesses was left to the judgment of the commissioners, and if the testimony of any respectable individual possessed of local knowledge had been offered by Persia, it would undoubtedly have been accepted at the conferences. It may be questioned whether it be fair to place upon the same footing the evidence of those who must be better acquainted than any other persons with the true merits of the question, and the testimony of any indifferent individual who could have been bribed by the Persian Government.

(b) Count Medem does not appear to make the distinction, very clearly pointed out by Major Rawlinson (memorandum upon Chaab and Mohammerah), between the establishment of the authority of the Chaab sheikh and that of the Persian Government in Mohammerah. It is true that Major Rawlinson states that the *Chaab* threw off the Turkish yoke about eighty years ago, but he asserts at the same time that it is only during the reign of the present Shah that *Persia* has exercised any of the legitimate functions of sovereignty in Mohammerah, and *that it is only since the late occupation of the town by the Persian troops that the governor of its northern division has discontinued the annual payment of a ground rent of 500 kerahs to the Governor of Bussorah.* In his observations on Count Medem's memorandum upon Mohammerah he further states that, "until the present year (1844) Persia has never received 'maliyat' or revenue from Mohammerah." For many years the Chaab were equally independent of Turkey and Persia.

* A translation of the copy of the Treaty of 1639 preserved in the Imperial Library at Vienna was procured by Sir S. Canning in December 1842, and has been printed in Confidential 1090?.

† Enclosure in No. 1, p. 3.

‡ See foot-note on p. 97. It was not Count Medem's memorandum but one written by a Persian merchant.

sur la tribu de Tchaab et les contrées avoisinantes du Chatt-el-Arab prouve que l'autorité de la Porte sur les pays situés sur les rives du Bamishere a cessé depuis 1757, et que si les Tchaabs étaient par leur origine sujets de la Porte, ils ont contracté, dès l'année 1683 (il a y 160 ans) des liens de sujétion envers la Perse, en venant s'y établir.(c) On peut conséquemment les envisager comme naturalisés en Perse, quoique tributaires de la Porte, pour les terrains qu'ils continuaient à occuper à Bassora. Leur principal établissement est aujourd'hui Fellahieh, dans le Kouzistan. Leur dernier chef, Scheikh Tamar (Thamir), le même qui figura aux conférences s'est réfugié, il y a quelques années en Turquie.(d) Les Tchaabs paient une redevance annuelle au Schah, dès le commencement du règne d'Aga Mohammed Khan, et Major Rawlinson les considère comme entièrement indépendants de la Porte depuis 1765.

Le principal argument, sur lequel le Cabinet de Téhéran appuie ses prétentions sur Mohammerah, se fonde sur la circonstance que cette ville reçoit ses eaux du Karoun (qui vient du Fars) et non de l'Euphrate.(e)

Major Rawlinson est d'avis que Mohammerah, en cas d'une nouvelle délimitation reviendrait incontestablement à la Perse.(f)

Sir S. Canning propose d'accorder à l'Iran Mohammerah et une grande partie du Delta, mais tout en conservant à la Turquie l'île située entre la branch de Bamishere et l'Euphrate, et même une grande portion de la rive gauche de ce fleuve à partir de Mohammerah jusqu'à Souaib, sur la rivière le Kerah (Kerkhah). Il en résulterait une frontière ouverte, exposée à de continuelles incursions de part et d'autre, et par conséquent à des conflits continuels(g).

Dans le cas où la Porte ne consentirait point à cette combinaison, M. l'Ambassadeur serait d'avis de faire de Mohammerah et du Delta un pays neutre et d'y nommer un scheikh arabe indépendant. Un tel expédient toutefois ne me paraît guère praticable. Ce serait ou bien abandonner cette portion de terrain avec Mohammerah à la merci de la première Puissance qui se trouverait la plus à portée et intéressée à se l'approprier, ou bien laisser subsister un éternal brandon de discorde entre la Turquie et la Perse, car à la première collision du scheikh avec l'une des deux Puissances limitrophes l'autre se croirait nécessairement en droit d'y intervenir. Pour éviter un pareil résultat et garantir l'indépendance du chef arabe, il faudrait le placer sous la protection immédiate des deux Puissances médiatrices, si non, administration ne serait qu'illusoire et éphémère. Le Gouvernement persan insistera à ce que le Chatt-el-Arab forme la limite de ses États au midi(h) ; il consentira moins facilement encore

(c) Not by establishing themselves in Mohammerah or in the delta, but by settling on the Gerrahi and on the left bank of the Gohan. (Sir S. Canning's memorandum.)

(d) Sheikh Thamir was expelled by the Persians when they forcibly occupied Mohammerah in 1841–2.

(e) Major Rawlinson states in his memorandum on the Chaab and Mohammerah, "that the Karun itself does not disembogue into the Shatt-el-Arab; the main body of the river finds its way by a separate channel (the Bamishere) to the sea, and is merely connected with the Shatt-el-Arab by the artificial cut of the Haffar, on th right bank of which is situated the town of Mohammerah." "At ebb-tide the Haffar is certainly filled from the Karun, but on flood the current is reversed."

(f) I am not aware that Major Rawlinson has expressed this opinion. It is true that he suggests as an *equitable* division the boundary-line proposed by Sir S. Canning, which would give the town to Persia. (Memorandum on the Chaab and Mohammerah.)

(g) Sir S. Canning has not given the whole island between the Bamishere and Euphrates to Turkey; less than one-half, in fact only the left bank of the Shatt-el-Arab would be ceded. Persia has never possessed the left bank of the Euphrates above Mohammerah. The following are the statements of Major Rawlinson, founded upon local enquiries and an intimate knowledge of the country:—

"Above the Island of Abadan (ascending the Shatt-el-Arab from the sea) occurs the mouth of the Haffar Canal, with about a mile of territory belonging to Mohammerah. Above you have for 2 miles the date groves of Bujildee cultivated by the Chaab, but paying revenue to the Bawi Arabs; then occur for 4 miles the lands of Tamar, inhabited by the Chaabs, subject to Fellahieh, but paying revenue to Bussorah, and above that point the Muntefik and other Turkish subjects possess the entire territory for 10 miles into Bussorah. It would appear that Persia claims the left bank of the Shatt-el-Arab and the Tigris as her boundary from the sea to near Bagdad, but I know not the grounds upon which the claim depends. *At present she does not possess any territory upon the river above Mohammerah.* Ghellian was certainly built by Persian colonists about 100 years ago, and continued with the adjoining villages subject to Howiza for some years after Nadir Shah's Turkish conquests, but the lands watered by the Shatt from Ghellian to the sea are nevertheless registered in the Bussorah records as dependencies of that city from the earliest period to which such records ascend, and all the ancient geographical notices confirm this territorial allotment." (Observations upon Count Medem's memorandum" on Mohammerah.)

These statements fully agree with the map furnished by Colonel Taylor to Sir S. Canning. The frontiers, therefore, will not be left more open to attack than they have hitherto been. Moreover, the same objection would apply to all the country between Koraa and the point of junction of the boundary-line with the mountain chain. The division between the Turkish and Persian territories from the River Kerkhah to the Haffar is well defined by a very broad desert tract completely uninhabited.

(h) See note 8.

* See foot-note on p. 97.

que la Perse (là Turquie) à se désister du port de Mohammerah qu'il occupe de fait(10) depuis nombre d'années et qui est son seul débouché du côté du Golfe Persique.(11)

2. *Zohab.*—Les frontières de cette province se trouvent pleinement déterminées dans les extraits fournis par la Porte, les lettres patentes de Sultan Ahmed III et les ouvrages de géographie cités par la Perse elle-même. D'après ces témoignages, une grande partie de la province de Zohab reviendrait proprement à la Perse.(12) Néanmoins, si nous acceptons la validité des livres précités pour la question de Zohab, il faudrait bien l'accepter aussi pour les autres points en litige, et accueillir notamment les dispositions renfermées dans les divers ouvrages de géographie qui indiquent Bayazid, Kars et Van comme appartenant à l'Iran.(13) On ne saurait être accusé de partialité tirer à l'égard de Zohab une induction favorable pour la Turquie, et ne point le faire aussi à l'égard des prétentions de la Perse, sur les trois localités susmentionnées.

Le Schah possède en toute propriété Zohab depuis l'année 1822. Feu Abbas Mirza y a toujours perçu le "maliyat" et nommé les gouverneurs. Cette province est habité par la tribu de Gouran,(14) qui reconnaît l'autorité du Schah, et dont le chef se considère propriétaire légitime de Zohab.

Sir S. Canning propose de ne laisser à la Perse que le district appelé Derna, et de faire céder tout le reste de Zohab à la Porte. C'est-à-dire, que la Turquie entrerait en possession de toute la province, moins une très petite fraction,(15) pour laquelle le Gouvernement persan aurait à renoncer encore à toutes ses prétentions pécuniaires. Sir Stratford Canning indique comme limite, soi-disant naturelle, une ligne tirée le longue de la chaîne des montagnes du nord, moyennant laquelle il ferait entrer dans la partie turque le chef-lieu de Zohab et le défilé de Kirrind.(16) Ce dernier endroit qui appartient de temps immémorial à l'Iran, serait selon l'opinion de l'Ambassadeur très important pour la Porte, comme point de *défense*, tandis qu'entre les mains des Persans il n'était qu'un moyen d'*agression*. Je ne puis m'expliquer pourquoi Kirrind serait d'une moindre importance pour la Perse que pour la Porte, et comment ce défilé serait plutôt un moyen d'attaque pour l'une que pour l'autre des deux Puissances! Il me semblerait, au contraire, plus équitable de laisser Kirrind à la Perse, qui est l'État le plus faible, au lieu de le lui ôter pour le remettre entre les mains d'un voisin plus fort que lui et qui se trouverait ainsi rapproché de 15 fersaghs de la ville de Kermanschah. Quant à une ligne de démarcation naturelle, la rivière, le Schirwan (ou Diala), qui sépare aujourd'hui les deux États musulmans, ne me paraît rien laisser à désirer.

L'abandon de Zohab rencontrera aussi une forte opposition de la part de la Cour de Perse, qui le possède depuis vingt-deux ans. En admettant même que Zohab soit en réalité une propriété turque, ce qui n'est nullement démontré, il y a bien d'autres portions de territoires contestés et occupés présentement par l'une des deux Puissances musulmanes (17) qui reviennent de droit à l'autre. Mais tant que la Porte se refusera

(10) See note 3.

(11) This is not the case. The true outlet of the Persian rivers is the Bamishere, which is navigable for vessels trading with the southern provinces of Turkey and Persia.

(12) This is incorrect; by no part of the evidence mentioned, nor by any of the extracts of the treaty of Sultan Murad produced in, or since, the conferences, would any part of the province of Zohab belong to Persia.

(13) All the copies of the treaty of Sultan Murad hitherto produced both by Turkey and Persia, and other copies obtained from various sources agree almost verbally in the delimitation of the southern frontiers, including Zohab; it is only with reference to Van, Kars, and Akiska, that the two copies quoted by Persia are found to disagree with the rest. It will be remembered that Major Rawlinson has suggested that this discrepancy may most probably be attributed to an error on the part of the transcriber of the treaty. (Memorandum upon Zohab.)* Akiska, thus claimed by Persia, was surrendered to Russia by Turkey at the conclusion of the last war.

(14) The tribe of Gouran is nigratory, and since the Persian occupation has at certain seasons of the year descended into the plains of Zohab in search of pasturage. This, of course, is no evidence in favour of the Persian claims to the soil. According to the map of Zohab furnished by Major Rawlinson, it appears that the Gouran inhabit the district of Derna, which, it is proposed, to surrender to Persia.

(15) The district of Derna forms about *one-third* of the whole province of Zohab.

(16) Count Medem appears to have fallen into the same error as Colonel Shiel (observations on Sir S. Canning's memorandum) with respect to Kerrind. This town would not be ceded to Turkey, but the boundary-line would be carried along the summit of that chain of mountains which includes the pass of Kerrind, considerably to the east of which the town itself is situated. By this division—of frequent occurrence in territorial demarcation—the pass would be divided between the two Powers, and whilst the means of unexpected aggression are taken from one party, the means of just defence are conferred upon both. This would appear the most reasonable and equitable mode of determining a frontier, when a mountain chain, with an important pass forming the great military road between the two countries, is claimed by two Powers.

(17) No debatable claims to such territory, unless Suleimanieh is meant, have been advanced at the conferences.

* This is Major Rawlinson's memorandum on the Perso-Turkish frontier as defined by the Treaty of 1639, Enclosure 2 in No. 7, p. 86.

à la délimitation générale des provinces limitrophes de la Perse,(18) et tant que les prétentions territoriales de l'Iran du côté du nord, fondées également sur les ouvrages de Kiatib Effendi, de Naima et d'autres auteurs ne seront point soumis à un examen, il ne restera d'autre alternative que de rejeter en entier les prétentions élevées à tort ou à raison par la Porte du côté du midi.(19)

3. *Souleïmanieh.*—Les droits de possession de la Porte et de la Perse sur cette province ne sont pas mieux prouvés que ceux sur Mohammerah.(20) Abbas Mirza l'a occupé fort longtemps; il y percevait des impôts et désignait des gouverneurs. Aujourd'hui Souleïmanieh est *de facto* en possession de la Turquie; le Gouvernement persan, sans renoncer à ses prétendus droits sur cette propriété, a néanmoins autorisé Mirza Takki Khan par ses instructions secrètes à ne point insister sur sa restitution. Sir S. Canning insiste à ce que la possession légitime de Souleïmanieh soit reconnue et confirmée à la Porte. Il serait peut-être d'une juste réciprocité de confirmer, le cas échéant, simultanément la souveraineté de Zohab à la Perse, car en forçant le Schah à se désister de ses prétentions sur Souleïmanieh, on pourrait obliger par contre le Sultan à renoncer à ses réclamations sur Zohab.

4. *Tracé des Frontières.*—La démarcation des frontières turque et persan ne pourra être que *partielle*, puisque la Porte malgré l'insistance du Gouvernement persan, s'oppose à ce que la délimitation s'applique à la partie septentrionale des provinces limitrophes de la Perse.(21) La vérification préalable des frontières, eût été à la vérité fort utile pour la solution de la question territoriale, de celle des indemnités et des tribus. Cette tâche sera apparemment dévolue aux commissaires médiateurs, qui ne pourront se rendre sur les lieux de concert avec les délégués turcs et persans qu'après la cessation entière des travaux du congrès.(22) Sir Stratford demande avec raison que les *principes* de la démarcation soient établis, avant que la commission mixte ne commence ses travaux.

5. *Indemnités.*—Les réclamations pécuniaires malgré leur grande importance, n'ont point été discutées aux conférences. Le plénipotentiaire ottoman s'est refusé péremptoirement à les traiter, nonobstant l'insistance des commissaires médiateurs et celle de Mirza Takki Khan, il n'a pas voulu aborder la question des indemnités, ni même permettre au délégué du Schah d'émettre les droits de sa Cour, et a préféré rompre plutôt de sa propre autorité les conférences. Cet acte arbitraire n'a pas même valu à Enveri Effendi une réprimande de la part de son Gouvernement. Il en est résulté une stagnation complète du congrès, et ce point si vital pour la Perse, resté en suspens jusqu'ici, ne sera apparemment plus traité aux conférences d'Erzeroum.

Nous savons que le Gouvernement persan avait réclamé en principe 4 kourours de tomans d'indemnités pour les pertes essuyées seulement par le sac de Mohammerah, mais dans des instructions secrètes de Mirza Takki Khan cette prétention avait été réduite à 2 kourours. Ce chiffre paraît encore fort exagéré. Selon les renseignements les plus authentiques recueillis ici (23) on pourrait évaluer approximativement les

(18) The Porte has expressly consented to the *general* delimitation of the frontiers and to the appointment of a joint commission for the purpose. (Instructions of the Turkish Government to Nouri Effendi: Sir S. Canning's memorandum.)

(19) The preceding notes 2, 3, 8, and 13 will, it is confidently believed, show that this reasoning and the conclusions are supported neither by the evidence nor by the facts.

(20) The Porte is in actual possession of Suleimanieh; its right to the province is confirmed by the extracts of the treaty of Sultan Murad, and Persia has produced no evidence whatsoever in support of her claims. The Persian Government has itself renounced these claims on certain conditions, which have been treated as extravagant by Colonel Shiel. (Despatch to Lord Aberdeen, dated December 26, 1842.)* It would surely be anything but just to call upon the Porte to renounce its very strong presumptive right to Zohab in consideration of the Shah's abandonment of a frivolous pretence to Suleimanieh.

(21) See note 18.

(22) Before the conferences of Erzeroum a commission could only have defined the territory actually inhabited by the respective tribes and subjects of the two Powers. Unless the mediating Courts had, *before any investigation*, pledged themselves to maintain the *status quo*, the labours of the commission might have proved to a great extent useless.

(23) Count Medem appears to have adopted the statements contained in a memoir,† entitled "Situation of the Cities of Mohammerah and Fellahieh," as the ground for forming an opinion upon the questions both of the territorial and pecuniary claims with regard to Mohammerah. The numerous inaccuracies and misstatements contained in that document have been conclusively pointed out by Major Rawlinson in his observations upon it. The following remarks will show how much weight may be attached to the assertion that Mohammerah was the most important commercial city in Persia, and was frequented by her richest merchants, whose pecuniary losses may be valued at 125,000*l.* (or, according to another estimate, at 250,000*l.*):—

"Personal examination and extended enquiries enable me to state positively the following facts regarding Mohammerah. In its most flourishing state it never contained, at the utmost computation, above 500 houses—probably not more than 400, and these, be it observed, were almost exclusively *reed huts plastered with mud*; there were four caravansarais, and three temporary sheds used as coffeehouses. Sheikh Jabir once brought a boat-load of burnt bricks from Bussorah, which he made use of in laying the foundations of his own house and

* Not printed.

† See foot-note on p. 97.

dommages encourus en 1837 pour les marchands persans à l'occasion du pillage de la ville à un demi kourour (12,500,000 piastres). Ce chiffre ne paraîtra pas trop élevé si l'on considère que Mohammerah était le point le plus commerçant de la Perse, que les négociants les plus riches de l'Iran s'y trouvaient établis, et qu'ils perdirent en 1837 tout leur avoir. Suivant les déclarations du plénipotentiaire ottoman, il résultait des droits de douane perçus à Mohammerah, que les marchandises persanes qui y arrivent annuellement ne dépassaient jamais la valeur de 25,000 à 30,000 bourses, 12,500,000 à 15,000,000 de piastres or.

Cette estimation est évidemment bien au-dessous du chiffre réel des denrées d'exportation qui affluaient dans le port de Mohammerah.(24) Quant aux droits d'importation, Enveri Effendi ne les a point mentionnés.

A l'effet d'établir un juste taux des indemnités revenant à la Perse pour le sac de Mohammerah, il serait cependant essentiel de déterminer au préalable le droit de possession de cette ville, et de savoir s'il revient à l'Iran un dédommagement pour les dévastations des édifices.(25) Quant aux prétentions du commerce persan pour la perte de leurs marchandises, elles ne sauraient être subordonnées à cet examen, car elles devront toujours être de droit remboursées par la Porte, que Mohammerah soit considérée propriété turque ou persane.

Le Gouvernement ottoman réclame de la Perse une indemnité de 20,000 tomans pour la dernière occupation de Souleïmanieh, qui s'est accomplie, comme l'on sait, sans effusion de sang ainsi que sans dégâts;(26) mais il refuse d'admettre par contre les prétentions pécuniaires du Gouvernement persan pour le pillage du camp du vali effectué sur le territoire du Schah. Les pertes des Turcs se trouvent plus que contrebalancées par celles des Persans, évaluées à 100,000 tomans.(27) Cependant, la Cour de Téhéran, eu égard à la circonstance que la destruction du camp persan n'avait été que la conséquence de l'attaque sur Souleïmanieh, a consenti à ne tenir aucune compte de cette différence, mais à abandonner ses réclamations, si la Turquie renonçait aux siennes. Cette proposition toute à l'avantage de la Porte a été rejetée par elle avec l'observation que l'attaque sur le camp du Vali, n'ayant été qu'une mesure dictée par la nécessité, la Perse n'avait pas le droit d'exiger à ce sujet une réparation quelconque.

M. l'Ambassadeur n'hésite pas à admettre l'assertion (28) du Gouvernement turc que le pillage du camp persan ne pouvait être considéré comme une agression, mais purement comme une mesure *défensive*. Mais en acceptant une pareille excuse, ce serait vouloir établir un principe bien dangereux en Orient et légitimer en quelque façon tous les tchapaouls passés, présents et à venir, commis ou projetés de part et d'autre, sur le territoire du voisin. Ce serait en réalité sanctionner ouvertement les incursions à main armée!

Sir Stratford, non content de rejeter la demande de réciprocité de la part de la

one of the caravanserais, and these were the only bricks that were ever known in the place; reeds and mud were the exclusive materials used in the other buildings. . . . . No one that I have ever conversed with believes it possible that there could have been at any one time a lakh of rupees (about 10,000*l.*) collected in Mohammerah. The staples of export and import were respectively dates and rice, and at all times three-fourths of the inhabitants were Arabs."

From these facts it may be judged how much faith can be placed in a document which compares the town of Mohammerah, for wealth, population, and celebrity, with the cities of Calcutta and Bombay. Sheikh Thamir, the late chief of the Chaab, and several inhabitants of Bussorah have declared that no Persian merchandise whatsoever was in the town during the siege, the Persian merchants having withdrawn to Ihwiza. (Reports of eighth and ninth conferences; Examination of Sheikh Thamir before the commissioners, August 11, 1843.)

(24) *No evidence whatsoever* appears in support of this assertion.

(25) Even were the right of Persia to compensation for the destruction of a part of the town admitted, the value of *edifices*, which were constructed of mud and reeds, would, it is imagined, prove no very serious matter of discussion.

(26) It has never been admitted that Turkish subjects suffered no losses on the forcible occupation of Suleimanieh. (Sir S. Canning's memorandum.)

(27) No evidence whatsoever has been produced to show the amount.

(28) Sir Stratford Canning has in no instance admitted the bare assertion of the Turkish Government in support of any of its claims. In the question of Suleimanieh Her Majesty's Ambassador formed an opinion upon the reports of English and Russian commissioners, who were sent to make enquiries upon the scene of action immediately after the event. (Sir S. Canning's memorandum.) These gentlemen appear to have been of opinion that the Vali of Ardelan was the aggressor, and that the attack upon his camp was an act of defence. (Report of Mr. Thompson to Colonel Sheil on the affair of Suleimanieh. Despatch from Sir S. Canning to Colonel Sheil, March 24, 1843.)" To reject evidence thus authentically furnished and to receive the mere assertion of the Persian Government would surely be an act of injustice, and would at once render nugatory the reports of the commissioners. It is difficult to understand how the justification of an act of self-defence, particularly when made to frustrate a *second* unjust and unwarrantable attack upon the Turkish territories, would in any way sanction "the past, present, and future tchapaouls," or plundering expeditions of the wandering tribes.

* Not printed.

Perse, inférée de ce que la Turquie avait droit à une réparation pour l'occupation momentanée de Souleïmanieh, qu'il faille considérer comme non avenus les dédommagements que les Persans demandent pour le sac de Mohammerah.(29) Il est essentiel de relever ici que les indemnités réclamées par la Porte elle-même ne s'élèvent en tout qu'à 20,000 tomans, que celles des Persans peuvent être estimées pour Mohammerah seul à 500,000 tomans,(30) et qu'avant de reconnaître la demande en indemnité comme fondée de la part des Turcs, il faudrait statuer au préalable si Souleïmanieh est territoire du Sultan ou du Schah.(31) Cette considération, ayant été mise en avant par l'Ambassadeur au sujet de Mohammerah, doit bien trouver aussi son application à l'égard de Souleïmanieh.

Les anciennes réclamations de la Perse, telles que les indemnités pour l'expédition de Mir Ravendouz, l'attaque sur Oureman et les arrérages pour les droits de pâturage du Kurdistan ne sauraient non plus être déterminées sans une discussion et une entente préalable.

Sir Stratford pense que les déprédations sur les territoires avoisinants étant un ancien usage pratiqué en Orient, la Porte serait peut-être à même d'élever des réclamations tout aussi fondées que celles du Gouvernement persan.(32) Cette supposition pourtant ne paraît guère admissible, car s'il en était ainsi, Enveri Effendi, loin d'éluder un examen de la question des indemnités, avait été apparemment en hâte de le provoquer lui-même.

La Cour de Perse a demandé pour les droits de pâturage du Kurdistan, arriérés depuis nombre d'années, des sommes assez considérables.(33) L'Ambassadeur insiste que le Gouvernement du Schah soit tenu de les abandonner en conséquence de la funeste attaque sur Souleïmanieh. Il propose de plus, d'adjuger ces pâturages sans autre formalité à la Turquie, avec la faculté toutefois pour les tribus persanes de pouvoir y camper *gratis* encore durant un certain nombre d'années. La compensation (34) à offrir à la Perse en lui enlevant ces pâturages et en lui refusant le payement des arriérés, consisterait donc à lui permettre de faire brouter pendant quelques années encore ses troupeaux sur les terrains qui lui ont appartenus!

L'abandon intégral des prétentions pécuniaires a déjà été abordé ici avec les Ministres du Schah, qui ont consenti, au nom de leur Gouvernement, à renoncer à toute demande de payement en numéraire et à accepter des équivalents territoriaux, sans abandonner toutefois le principe même de la dette.(35) Pour en finir avec ces prétentions, Sir S. Canning propose que la Perse s'en remette pour toutes ses réclamations à l'*équité* du Gouvernement turc. Cette proposition ne saurait être prise au sérieux.(36) En effet, comment supposer que le Cabinet de Téhéran abandonne ses

(29) No reparation has been demanded for the momentary occupation of Suleimanieh, although the Porte might justly be entitled to it; nor have the claims of Persia relating to Mohammerah ever been considered by Sir S. Canning as non avenues, but, on the contrary, their validity, greatly modified it is true, forms an essential portion of the basis of the compromise suggested in his Excellency's memorandum.

(30) See note 23.

(31) See note 20.

(32) The opinion that mutual aggressions have from time immemorial taken place upon the frontiers is not entertained exclusively by Sir S. Canning. No one at all acquainted with the state of the border tribes can doubt that the Porte, if permitted, would be able to prove numerous depredations committed upon its territories. (Despatch from Colonel Farrant to Sir S. Canning, dated September 20, 1842.)" It was the conviction of the frequency of such acts of hostility, and of their pernicious results upon the tranquillity of the two countries, which induced his Excellency to suggest in his memorandum various measures for the future management of the frontier tribes, which appear to have met with the approbation of Count Medem.

(33) From the enquiries made by the British commissioner, Mr. Thompson, upon the spot, it appears that only 3,000 tomans (about 2,500*l.*) were claimed by the governor of the district, and that during the year 1842 only 1,000 tomans (300*l.*), and for some year previous 2,000 tomans (1,000*l.*), were paid to the Persian authorities. The lowest sum claimed by the Persian Government is 30,000 tomans (15,000*l.*) a-year! (Secret instructions to Mirza Jaffer. Despatch from Colonel Sheil to Lord Aberdeen, dated December 26, 1843.)"

(34) It is presumed that Count Medem has misunderstood Sir S. Canning's memorandum in several important respects. His Excellency has not insisted upon the relinquishment of the claims for pasturage dues on account of the attack upon Suleimanieh, nor has it proposed to adjudge the pasturage grounds the best and most important evidence (see note 33). The admission of the validity of their claims is an admission of the right of Persia to the land out of which they arise. It is suggested as an equitable and convenient settlement, not as an alternative in case of any difficulty in their pecuniary satisfaction, that Persian tribes now pasturing on land to be ceded to Turkey, *not in the district of Suleimanieh, but in that of Zohab*, should be permitted to enjoy that privilege free of charge for a certain period.

(35) On one occasion the Prime Minister signified the intention of his Government to abandon its pecuniary claims unconditionally, and merely at the request of Her Majesty's Government. (Despatch from Colonel Sheil to Sir S. Canning, dated March 29, 1843.)"

(36) It is difficult to comprehend how Count Medem should have so completely misunderstood the propositions with regard to the indemnities, which indeed form the basis of the arrangement suggested in Sir S. Canning's memorandum. A simple suggestion affecting private injuries, hitherto completely unproved, has been applied by Count Medem to the *whole* pecuniary claims of Persia. It is, indeed, proposed by Sir Stratford

* Not printed.

prétentions à la discrétion et à l'esprit de justice de la Porte, quand celle-ci se refuse même de discuter la question des indemnités? Loin de partager la foi que l'Ambassadeur paraît avoir conçu à l'égard des sentiments d'équité qui animent la Turquie, le Ministère persan nourrit la conviction intime qu'elle saura éluder sous divers prétextes toute espèce de payement, qu'elle ne se prêtera de bonne grâce à aucune liquidation des sommes dues, et ne s'exécutera que quand elle y sera contrainte par la force.

6. *Tribus.*—L'extradition des familles nomades occupe aussi une place importante parmi les réclamations des deux Puissances contendantes. La Porte demande la restitution de sept tribus, (37) la Perse celle de douze, plus deux familles Iliates. Des recherches consciencieuses sur la légitimité des prétentions mutuelles ne pourront être établies à ce sujet qu'à l'occasion de la démarcation des frontières. Je m'associe sous tous les rapports à l'avis de Sir Stratford que les tribus réclamées à la fois par les deux parties devront, en dernière analyse, se prononcer elles-mêmes en faveur de l'une ou de l'autre des deux Puissances musulmanes et décider chez laquelle elle désireront se fixer à l'avenir.

7. *Commerce.*—La Perse s'oppose à la conclusion d'un nouveau traité de commerce, et se refuse notamment à adhérer à celui signé entre la Porte et plusieurs Puissances européennes. Ce refus, quoique basé sur le droit des gens, subira cependant quelques modifications, en ce que la Cour de Téhéran a déjà consenti à faire payer aux négociants persans le droit de 4 pour cent stipulé dans l'ancien tarif, soit en nature, soit *ad valorem*, (38) et qu'elle consentira encore sans nul doute à faire subir un droit supplémentaire à ceux de ses sujets qui voudraient s'occuper de commerce en détail dans l'intérieur de la Turquie. Le Gouvernement s'est déclaré prêt aussi à signer à Erzeroum une convention, renfermant les diverses stipulations qui auraient été arrêtées d'un commun accord au congrès.

8. *Transfuges.*—Par l'assentiment du Schah à se contenter de la translation des princes fugitives à Andrinople, pourvu que la Porte s'engage à faire surveiller leur conduite, la question des shazadés peut être considérée comme déjà définitivement réglée.

9. *Kerbéla.*—Le sac de la ville sainte doit être envisagée plutôt comme une question religieuse que politique. Elle continue à préoccuper vivement tous les esprits en Perse, et pourra devenir une entrave puissante, une pierre d'achoppement pour toute solution satisfaisante du litige turco-persan. Le Schah a hautement déclaré que toutes les dispositions arrêtées à Erzeroum seraient envisagées comme nulles et non avenues tant que la Turquie n'aura point accordé une réparation suffisante pour les désastres occasionnés à Kerbéla. L'arrangement définitif de cette question est donc une condition première. La Perse (la Turquie) a offert, il est vrai, des regrets bien tardifs et l'assurance de faire réparer les sanctuaires de la ville sainte, et d'indemniser les victimes du sac. Le Gouvernement persan demande encore la destitution de Nedjib Pacha, une participation directe à la nomination des gouverneurs dans les quatre villes de Kerbéla, Nedjif, Kasemaïn, et Samaré, réputées saintes; l'admission des consuls persans dans ces mêmes lieux; et enfin l'association d'un commissaire du Schah à la distribution des indemnités à assigner aux familles persanes ruinées par la catastrophe de Kerbéla. A en juger d'après les dernières explications offertes par le Hadji, la Cour de Téhéran fera l'abandon des deux premières demandes, si elle obtient les deux autres et si la Perse paye l'indemnisation promise pour les victimes du sac, et la réparation des temples. Jusqu'ici la Porte n'a voulu

Canning that compensation for such private injuries, many of which may be traced to semi-independent wandering tribes, and the return of certain duties illegally levied from Persian subjects, should be left to the equitable sentiments of the Porte, but in order to ensure the most complete satisfaction to the Persian Government his Excellency has not only suggested the insertion in the treaty of an express stipulation guaranteeing proper reparation, but even the appointment of a special commission to examine the claims. Much confidence has not therefore been placed in the equitable sentiments of the Porte to the prejudice of the Persian Government.

(37) Turkey claims nine tribes, or eleven including the Haideranlu and Sibiki, the right to which is admitted to be in dispute, but which are actually on Turkish territory. (Reports of twelfth and fifteenth conferences: Sir S. Canning's memorandum.)

(38) The payment of 4 per cent., whether *ad valorem* or according to a tariff, or of a supplementary tax by Persians engaged in the detail or home trade, is not the real question at issue between the Turkish and Persian Governments. The Porte insists that if Persians trade under the stipulations of the treaty of Erzeroum they must submit to all the internal duties and monopolies which existed at the time of the completion of that treaty, and were not expressly abolished by it. The subject has been fully discussed in Sir Stratford Canning's memorandum, and no valid reason has yet been advanced why Persian merchants should be relieved from those internal regulations from which the merchants of other nations only obtain exemption by the payment of a high rate of commutation duties.

consentir ni à l'établissement de consuls persans dans les quatre endroits susmentionnés, ni à la présence d'un délégué du Schah à la répartition des indemnités, et cette question de Kerbéla, d'un intérêt si puissant et dont la solution doit déterminer le dénouement final du litige turco-persan, reste en suspens depuis près de deux ans.

Conclusion.

En présence de tant de complications et des difficultés graves qui entourent la question turco-persane, dans l'impossibilité d'établir un jugement sur la validité des prétentions mutuelles, je persiste à croire—et mon humble opinion est partagée par mon collègue d'Angleterre—qu'il ne reste qu'un seul et unique moyen d'arriver à une solution prompte du litige en question, savoir: de faire adopter par les deux parties le *statu quo* territorial pour base de tout accommodement et de faire consentir la Porte à la cession définitive du Delta avec Mohammerah à l'Iran, contre l'abandon de la part du Cabinet persan de toute réclamation pécuniaire. Un tel arrangement serait, il nous semble, au Colonel Sheil et moi, équitable pour les deux Puissances. Les limites respectives tant au nord qu'au midi occupées aujourd'hui *de facto* de part et d'autre seraient ainsi reconnues comme ligne de séparation entre les deux États, qui se reconnaîtraient mutuellement l'*uti possidetis*. A partir de la jonction du Tigre et de l'Euphrate, le cours du Chatt-el-Arab formerait alors la frontière entre la Turquie et la Perse, (39) et cette dernière Puissance n'aurait plus, sauf les revenus arriérés pour les pâturages du Kurdistan, aucune prétention d'indemnité à élever à la charge de la Porte. Cette combinaison serait avantageuse d'abord pour les deux Cours musulmanes, en ce qu'elles concilieraient les intérêts réciproques, trancherait à la fois toutes les questions tant pécuniaires, territoriales, et autres, qu'il ne serait jamais possible d'éclaircir, et encore moins de décider, et couperait court à toutes les réclamations mutuelles.

La transaction proposée ne serait pas moins favorable pour les commissaires démarcateurs qui ne rencontreraient plus d'obstacles à procéder immédiatement au tracé des limites; leur tâche deviendrait facile, en ce qu'il ne s'agirait ni de consulter le texte altéré de traités égarés, ni les convenances ou les prétentions réciproques, mais simplement de constater et de désigner la ligne qui séparera désormais les possessions turques et persanes. (40)

A. MÉDEM.

Le 1er septembre, 1844.

(39) It is difficult to understand how, either by making the surrender of Mohammerah and the delta an equivalent for the renunciation of the pecuniary claims, or by adopting the principle of *uti possidetis*, the left bank of the Shatt-el-Arab would be ceded to Persia; and yet, according to Count Medem, the establishment of the Shatt-el-Arab as the boundary-line between the two Empires would be consequent upon both these conditions. It has been shown that Persia has neither a presumptive right to, nor is in possession of, the left bank of the Shatt-el-Arab; consequently, after the surrender of the delta *in return for the renunciation of the pecuniary claims*, an extensive and highly fertile tract of country would, according to Count Medem's suggestion, be gratuitously conferred upon her; and if the principle of *uti possidetis* were recognised, how could the Porte be deprived of this district?

(40) If it be meant that the commission should be guided entirely by the principle of *uti possidetis*, how is the line of demarcation to be drawn in a country where the tribes are in frequent emigration from one part to another, and where there are neither fortresses nor settlements nor any places to mark the limits of occupation?

No. 13.

Sir Stratford Canning to Lord Aberdeen.—(*Received December* 5.)

(No. 257.) *Buyukdery, November* 16, 1844.

My Lord,

AGREEABLY to the intention which I announced in my despatch No. 239,* I have again communicated with M. de Titow on the subject of our joint instructions respecting the Persian and Turkish negotiation. It cannot be necessary to trouble your Lordship with a detailed account of our discussions. I have already recorded my own observations on the several points of Count Nesselrode's memorandum, and the Russian envoy will no doubt submit, if he has not already submitted, his opinions in the same manner to the Court of St. Petersburg. The result may be stated in few words. Our only substantive point of difference is Zohab. M. de Titow is not prepared to recognise as decidedly as I do the sundry palpable objections to leaving the whole of that province in the hands of Persia upon the proposed principle of *uti possidetis*. I collect, however, from what he dropped in our last conversation, that he does not mean to declare any positive opinion in opposition to mine, and that he will probably confine himself to little more than a mere enumeration of the points on which we agree with a statement of my suggestion for the disposal of Zohab. He appeared to be embarrassed by the want of local information derived from sources of his own, and also by the opinions of his colleague at Tehran, constituting, as they apparently do, the basis of Count Nesselrode's "modifications." I did not think it was any part of my duty, under your Lordship's instructions, to increase his embarrassment by insisting on a recorded controversy by no means essential to the ultimate decision.

In the event of his being inclined to exchange copies of the respective observations, I shall take the earliest opportunity of forwarding to your Lordship a copy of his Excellency's report. I trust also that he will be prepared in a few days to join with me in transmitting the result of our mutual enquiries and discussions to the two legations at Tehran. In the meantime I refer to my despatch No. 230* as containing the substance of what I have to submit to your Lordship on the several questions at issue, reserving for a future occasion such additional remarks as I may have to offer with respect to the proposed means of inducing the litigant parties to acquiesce in the decision of the mediating Powers.

I have, &c.

STRATFORD CANNING.

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* No. 11, p. 115.

No. 14.

Sir Stratford Canning to Lord Aberdeen.—(*Received December 5.*)

(Confidential.)

Buyukdery, November 16, 1844.

My Lord,

REFERRING to my ostensible despatch of this date, relative to the Turco-Persian question, I beg leave to enclose, for the purpose of clearer explanation, a "projet" of the arrangement which I proposed confidentially to M. de Titow for mutual adoption and joint recommendation to our respective Courts. I have elsewhere explained his Excellency's view of the subject, which made it superfluous for me to leave a copy of the paper in his hands.

I avail myself of this opportunity to remark that, notwithstanding frequent professions of impartiality, the prevailing bias of the Russian envoy is ever in favour of Persia, and that he seeks to give to Count Nesselrode's modifications, unfavourable as they are to Turkey, the appearance of proceeding equally from your Lordship.

It is obvious, at the same time, that the effect of adopting the Russian plan, which has evidently originated with Count Medem, would in all human probability be the indefinite prolongation of the present precarious state of relations between Turkey and Persia, with the latter confirmed in the possession of all her encroachments, and the former goaded by disappointment into a daily temptation of favouring the inroads of the Kurd tribes, and thus exposing herself to the resentment of the mediating Powers as well as to the hostility of her antagonist. Whatever may be the intentions of the Russian Government—however pure, impartial, and benevolent—such, I humbly conceive, would be the probable result of acting without modification on the plan suggested by Count Nesselrode, and I am therefore anxious that the decision of the mediating Powers should vary from it so far as to render its terms more fair to Turkey, and the means of enforcing them more stringent upon both parties.

M. de Titow has never lost an opportunity of specifying Adrianople as the fit place of residence for the exiled Persian princes, amongst whom are those pensioned by Her Majesty, and entitled, perhaps, on that account to be treated with more indulgence than their companions in misfortune.

I have, &c.

STRATFORD CANNING.

Enclosure in No. 14.

"Projet" of Arrangement proposed to M. Titow, Russian Ambassador at Constantinople, by Sir Stratford Canning.

De tous les différends qui sont maintenant en litige entre la Turquie et la Perse, le seul qui ne réunit pas essentiellement les suffrages à Londres et à Constantinople est Zohab.

Les représentants de Russie et d'Angleterre s'accordent à reconnaître la convenance ainsi que l'équité d'appliquer le principe de l'*uti possidetis* à toutes les autres parties de la frontière, et nommément à Mohammerah et à Souleïmanieh; de faire tomber de part et d'autre toute réclamation pécuniaire, à cause d'invasion, y compris l'attaque sur Mohammerah;* de régler les arriérés des pâturages au bénéfice des réclamants persans, et celles qui se font de la part des particuliers, par une commission spéciale, dont les attributions seraient spécifiées dans le traité; d'interner les princes persans sous la surveillance de la Porte;† de remettre la démarcation de la frontière à une commission spéciale; de faire compenser les privilèges religieux, que la Porte accorderait à la Perse, par des avantages commerciaux cédés par celle-ci à la Porte, ayant principalement en vue l'augmentation du tarif actuel; et, finalement, de

* Il est censé que ce principe ne s'applique pas au-dessus de Mohammerah, ou tout au plus à 4 ou 5 milles de la rive gauche du Chatt-el-Arab, occupés par la tribu Chaab, au-dessus de cette place.

† A Andrinople?

régler les autres points énumérés dans les protocoles des conférences à Erzeroum, y compris spécialement ce qui regarde les tribus de Kurdistan, conformément aux propositions soumises dans le mémorandum rédigé à Constantinople.

Quant à Zohab, les mêmes représentants sont convenus de recommander à leurs Cours respectives, comme partie essentielle de l'arrangement général, la restitution de cette province à la Turquie, sauf une rectification des frontières, qui aurait pour effet de laisser à la Perse les hautes montagnes, où semble résider les tribus appelée Guran, et qui forme maintenant une partie de la même province.

No. 15.

Sir Stratford Canning to Lord Aberdeen.—(Received December 16.)

(No. 261. / Confidential.)

Buyukdery, November 22, 1844.

My Lord,

SINCE I had the honour of addressing your Lordship on the 16th instant, M. de Titow has sent me a copy of his report on the proposed settlement of the questions at issue between Turkey and Persia. I have returned this mark of confidence by placing in his hands a copy of my despatch No. 239* of this year, and in compliance with his wishes I adopt a confidential form in transmitting his report herewith to your Lordship, as I have equally done in communicating my despatch to him.

As M. de Titow has studiously avoided all reasoning upon the subject, and, unacquainted himself with the facts, has derived his impressions respecting them principally from Persian sources, I must be content to refer your Lordship to my preceding statements. My observations, which pretend to no value but what they derive from your Lordship's call for them, are there recorded with sufficient clearness to place my opinion and the grounds on which it rests, without any kind of reserve or subtlety, under your Lordship's judgment. I had hoped at one time that M. de Titow would have found himself at liberty to recognise with more distinctness the palpable difference which exists between the case of Mohammerah and that of Zohab with reference to the principle of *uti possidetis*: but I respect too much the motives furnished by his situation to require more than the candid admission which he has made of the strong legal presumption exhibited in favour of the Porte's claim to Zohab, and also of the probable inapplicability of the *uti possidetis* to more than a comparatively small portion of the Shatt-el-Arab.

Your Lordship is aware that I have no special reasons, as M. de Titow appears to suppose, for doubting the impartiality of adjudging the whole province of Zohab, and the entire left bank of the Shatt-el-Arab as high as the confluence of the Tigris and Euphrates to Persia, other than those which are recorded in my preceding despatches, and which it would seem that I have vainly endeavoured to make intelligible to my Russian colleague. I have naturally taken into consideration the statements made by Major Rawlinson and other local enquiries, nor can I doubt that your Lordship will give to such preponderating authority its full weight and real value.

It only remains for me to remark that the minute referred to in M. de Titow's report as containing my suggestions was a private memorandum intended to facilitate an agreement of opinion between us. The paper of a similar description enclosed in my despatch No. 257† to your Lordship expresses more correctly the view which I wished to exhibit.

For your Lordship's more complete information I have the honour to enclose herewith a copy of the despatch with which I have accompanied the transmission to Her Majesty's envoy at Tehran of your Lordship's instruction common to both of us.

I have, &c.

STRATFORD CANNING.

Enclosure 1 in No. 15.

Despatch from M. de Titow, Russian Ambassador at Constantinople, to Count Nesselrode reporting on the proposed Plan of Settlement of the Turco-Persian Question.

Par mon rapport du 4 (16) octobre, 1844, j'ai eu l'honneur d'accuser réception des ordres que le Ministère Impérial a bien voulu m'adresser le 21 septembre sur la question turco-persane, en me transmettant le mémorandum remis par votre Excellence à Lord Aberdeen, ainsi que la dépêche du Secrétaire d'État britannique à Sir Stratford Canning, et m'invitant à prendre pour règle le plan de conduite indiqué par ces deux pièces.

Nous avons depuis échangé plusieurs entretiens à cet égard avec Sir S. Canning. Ils m'ont fourni l'occasion de lui donner lecture du travail que notre Ministre en Perse venait de me communiquer sur les entrefaites, et dans lequel il a soumis au Cabinet Impérial les observations que lui a suggérées le contenu du mémoire de

* No. 11, p. 115.

† No. 13, p. 129.

Sir Stratford en date du mois d'avril. De son côté, l'Ambassadeur m'a fait lire un exposé que le Colonel Shiel avait adressé sur le même sujet au Cabinet de Londres, ainsi que les objections opposées par l'Ambassade britannique à Constantinople aux conclusions de cette dernière pièce.

En comparant les divers écrits, on remarque avec plaisir l'analogie d'opinion à laquelle sont arrivés, dans cette conjoncture les représentants des deux Cours médiatrices à Téhéran. Ces opinions coïncident aussi avec les modifications basées sur l'*uti possidetis* territorial, proposées dans le mémoire remis à Lord Aberdeen. Le Gouvernement de la Reine semble à son tour disposé en faveur de ces modifications, comme il appert de la dépêche adressée à Constantinople du Foreign Office. Autorisé autant que je puis l'être, pour ma part, à énoncer un avis sur cette matière, je dois confesser que les concessions mutuelles à déduire du principe de l'*uti possidetis* me sembleraient d'autant plus recommandables, qu'au mérite d'une exécution comparativement facile, elles joignent celui de ne tomber en contradiction avec aucun droit clairement prouvé.

Si j'ai bien saisi les idées de Sir Stratford Canning, ce n'est pas qu'il conteste en *principe* les avantages de l'*uti possidetis*; loin de là, il m'a souvent exprimé la conviction que, vu l'impossibilité presque absolue d'obtenir ici des payements considérables en numéraire, rien ne serait plus heureux que de passer l'éponge sur les indemnités prétendues par la Perse, moyennant des équivalents au nombre desquels figureraient aussi certaines concessions de droits territoriaux.

Mais en abordant les *questions spéciales* on remarque à regret une divergence presque diamétrale entre la *série des raisonnements* de l'Ambassadeur britannique à Constantinople et celles de nos collègues à Téhéran.

Cette divergence, il est bien vrai, se réduit à différer d'avis sur le plus ou moins d'équilibre entre les prétentions *pécuniaires* élevées par la Perse, et les prétentions territoriales soutenues par la Turquie. Mais il est malheureux que ces deux prétentions opposées, en même temps qu'elles constituent la véritable clef du litige, sont précisément celles qu'il devient presque impossible d'assujettir à une délibération logique et cela par une double raison :—

1. A défaut de tous documents décisifs et incontestables;
2. Vu la mauvaise volonté des deux parties à entrer là-dessus dans un examen contradictoire et radical.

En effet, la Perse a commis le tort d'éluder dans les conférences d'Erzeroum, toute exhibition des preuves juridiques qu'elle entend opposer aux exigences *territoriales* de la Turquie. La Turquie, à son tour, s'est attiré le reproche tout aussi grave de se refuser net à l'examen de la question des *indemnités*.

Si l'on s'en tenait donc aux raisonnements, il faudrait désespérer de jamais s'entendre, et il ne resterait plus qu'à reléguer la décision dans le domaine des goûts et des sentiments individuels.

Je me félicite d'ajouter toutefois, que l'examen des propositions de fait, émanées de part et d'autre, paraît promettre une meilleure issue. Votre Excellence trouvera ci-joint un croquis ou canevas des points principaux; minuté par Sir S. Canning pour aider la mémoire et mieux faire le fil de nos entretiens.

D'après le canevas, commenté de vive voix par l'Ambassadeur, l'*uti possidetis* serait reconnu en faveur de la Perse pour le Delta, et la ville de Mohammerah comme pour tout le sol occupé par la tribu Kéab, ou Chéab. Depuis la fin de leur possessions jusqu'à Soumb vis-à-vis Korna, c'est-à-dire jusqu'au confluent de l'Euphrate et du Tigre, Sir S. Canning croit être sûr que la rive gauche du Chatt-el-Arab n'a point cessé d'appartenir *de fait* à la juridiction de Bassora : l'adjuger à la Perse serait ainsi dévier du principe de l'*uti possidetis*, indépendamment de plusieurs autres embarras qu'un tel sacrifice entraînerait à son avis pour la Turquie. Il y a donc divergence à l'égard de ce point; mais elle n'attaque que *le fait*, qui ne paraît nullement difficile à vérifier, sans renoncer à la base de l'*uti possidetis*.

Le seul point où Sir S. Canning persiste à trouver cette base injuste et inapplicable, c'est le district de *Zohab*. La *présomption légale* admise par tout le monde en faveur des droits ottomans sur ce district lui paraît trop forte pour espérer jamais y faire renoncer la Turquie de bon gré. Il admet cependant la possibilité et même la justice pratique de laisser aux Persans la partie montagneuse de Zohab, avec une frontière naturelle assez forte et avantageuse pour leur sécurité sous le rapport défensif.

Il m'a été d'autant moins possible de suivre l'Ambassadeur dans l'explication de ces détails, que les cartes et renseignements topographiques semblent vraiment offrir jusqu'ici trop de lacunes pour raisonner là-dessus avant de mieux étudier le pays et les

libres ou traditions légales qui s'y rattachent. Ainsi, par exemple, dans le travail du Ministre d'Angleterre à Téhéran, dont Sir S. Canning a bien voulu m'accorder lecture, le Colonel Shiel, à propos des limites de Zohab et notamment de Kirrind, assure que ce n'est pas cette localité, mais bien celle appelée " Poul de Zohab (Pont-el-Zohab)," située à 30 milles plus à l'ouest, qui toujours a été prise pour la limite du district. Il ajoute que Kirrind est situé de manière à ce que, étant cédé à la Turquie, les Persans devraient chaque fois le franchir pour se rendre à Darna.

En présence de notions aussi confuses, il ne resterait en apparence qu'à laisser ouverte la question de Zohab jusqu'à ce que des recherches plus complètes puissent nous éclairer tant sur le mérite des conclusions produites en faveur des droits de la Turquie, que sur les facilités pratiques de tracer dans les lieux une frontière différente du *statu quo*.

Sir Stratford paraît toutefois attacher une valeur toute spéciale à ses propositions sur Zohab, au point de les regarder comme partie essentielle et intégrante de tout accommodement équitable.

Il restera donc aux deux Cours médiatrices d'aviser dans leur sagesse aux moyens d'éclairer leur religion sur cet article.

En attendant, la délibération a déjà fait un progrès réel, et toutes les divergences paraissent désormais simplifiées, car elles se réduisent à un seul point : celui de Zohab.

Parmi les articles moins épineux, je dois me borner à fixer quelque attention sur celui qui regarde les princes réfugiés. Sir S. Canning reconnaît pour indispensable que la Porte s'oblige à les *intercer* et les *surveiller*. Mais le sujet me semble trop délicat et trop essentiel pour ne pas insister, en outre, à ce que leur résidence soit fixée dans une ville nominalement désignée dans l'intérieur de la Turquie d'Europe, telle, par exemple, qu'Andrinople.

M. l'Ambassadeur d'Angleterre ayant soumis à son Gouvernement les conclusions qu'il s'est formées à la suite de nos pourparlers, je me fais un devoir d'en mettre ce résumé sous les yeux du Ministère Impérial.

Enclosure 2 in No. 15.

Sir Stratford Canning to Colonel Shiel.

Buyukdery, November 22, 1844.

Sir,

In obedience to the commands of Her Majesty's Secretary of State for Foreign Affairs, I have the honour to transmit to you herewith an authenticated copy of the instructions whereby his lordship directed me to consider, in concert with the Russian envoy at this Court, the plan proposed for settling in an amicable and permanent manner the pending differences between Turkey and Persia. The enclosures accompany the instruction, and I transmit at the same time a copy of M. de Titow's report to his Government, and also one of mine to the Earl of Aberdeen.

I have only to express an earnest hope that no unforeseen circumstance or difficulty of any kind may retard the transmission of your final observations on the papers referred to Teheran for the joint consideration of the two representatives there. You, Sir, I am sure must be as anxious as myself to hasten the moment which the mediating Courts will be able to come to a decision upon this long-protracted question, and judging from the language of M. de Titow I am willing to believe that you will find Count Medem disposed to act in the same spirit.

I have, &c.

STRATFORD CANNING.

No. 16.

Sir Stratford Canning to Lord Aberdeen.—(*Received January* 3, 1845.)

(No. 278.) *Buyukdery, December* 17, 1844.

My Lord,

IN continuation of my correspondence respecting the affairs of Turkey and Persia, particularly as touching the maintenance of tranquillity along their common frontier, I have the honour to enclose herewith for your Lordship's information copies of a memorandum or official note addressed to me by Shekib Effendi in reply to the joint instruction addressed by M. de Titow and myself to our respective interpreters, and communicated to the Ottoman Minister, as already reported to your Lordship, and also of a despatch which I have since addressed to Her Majesty's envoy at Tehran, leaving it under flying seal for the information of Lieutenant-Colonel Williams at Erzeroum.

M. de Titow, to whom I communicated my despatch to Colonel Sheil, assures me that he has written in the same sense to Count Medem. His Excellency assures me that he has also transmitted to that envoy the opinion which he communicated to me some weeks ago respecting the questions at issue between Turkey and Persia.

I have, &c.

STRATFORD CANNING.

Enclosure 1 in No. 16.

Mémorandum addressed by Shekib Effendi, Turkish Minister for Foreign Affairs, to Sir Stratford Canning, December 3, 1844.

[Un Mémorandum identique a été remis en même temps à son Excellence M. de Titow.]

(Traduction.)

Nous avons pris dûment connaissance, par la traduction qui en a été faite, du sens des instructions données par votre Excellence à Mr. Pisani, et par son Excellence M. de Titow au Prince Télémaque (Handjéry), portant que les commissaires qui se trouvent à Erzeroum, ayant informé le mouchir d'Erzeroum et le plénipotentiaire de la Sublime Porte des bruits qui couraient sur l'invasion qui avait été faite par Nouroullah Bey, chef de la tribu des Hakkarii, sur une partie du territoire de la province d'Ourmiah, leurs Excellences ont pris de bonnes mesures et se sont bien comportées à cette occasion, ce qui vous a fait du plaisir; et que votre Excellence prie la Sublime Porte d'écrire au mouchir et au plénipotentiaire susmentionné d'avoir soin à l'avenir aussi que des mesures soient prises afin que de pareils actes ne se renouvellent pas. Ces instructions, qui contenaient également quelques autres éclaircissements et quelques détails, ont été mis aussi sous les yeux de leurs Excellences les Ministres de la Sublime Porte, auxquels la reconnaissance par votre Excellence d'après les sentiments d'équité qui la caractérisent, que la conduite tenue et les mesures prises par le mouchir et le plénipotentiaire ottoman attestent complètement et hautement les excellentes intentions de mon illustre Gouvernement envers la Cour de Perse a causé du plaisir.

Comme la Sublime Porte prend encore un vif intérêt au maintien d'une tranquillité permanente sur les frontières orientales et dans les lieux d'alentour, au moyen de l'heureuse conclusion de la paix, nous sommes après à écrire les dépêches nécessaires à leurs Excellences le mouchir et le plénipotentiaire dans le sens que vous avez demandé: mais en même temps que je vous donne cet avis, je dois aussi porter avec franchise à la connaissance de votre Excellence un procédé étrange, un événement inattendu qui mérite votre attention.

Voici de quoi il s'agit: il vient d'arriver des dépêches exprès de la part du Pacha de Bagdad, qui portent que le Sadri Devlet de Perse a écrit une lettre exprès au Ministre de l'illustre Gouvernement d'Angleterre à Téhéran, pour lui dire, ce qui n'est qu'un prétexte, qu'il a été jugé nécessaire d'envoyer des troupes dans le sandjiak de Zohab pour punir les tribus de ce sandjiak, et qu'après que la punition aura été faite ces troupes seront retirées; et que (ajoutent les dépêches) le bruit court que Mouhib

Ali Khan, gouverneur de Khermanschah aura le commandement de ces troupes, et qu'on mettra à sa disposition une nombreuse artillerie et beaucoup de munitions.

Votre Excellence n'ignore pas que, se conformant aux conseils tant et tant de fois donnés jusqu'à présent dans le but d'empêcher en temps de paix les hostilités et les démonstrations militaires de part et d'autre, la Sublime Porte n'a pas jugé à propos de commettre de pareils actes, et que, continuant à observer l'arrangement fait à cet égard, elle donne à tout moment des preuves de ses bonnes intentions relativement à l'heureuse solution de la question de la paix. Loin d'avoir donné son avis ou des ordres quelconques dans l'acte d'agression que Nouroullah Bey a eu l'audace de commettre sur le territoire persan, ses propres autorités dans les alentours l'ignorient, et il se trouvera que c'est tout au plus un acte de révolte, suite naturelle du caractère des tribus.

Quant à Zohab, ce district fait partie de l'Empire ottoman, et il est en contestation. Le plénipotentiaire de la Sublime Porte a prouvé à différentes reprises dans les conférences le comment de la propriété. Or, que dans cet état des choses, qu'au milieu de l'armistice, le Premier Ministre de Perse annonce et déclare dans une lettre officielle, au nom de son Gouvernement, qu'un corps de troupes sera expédié au sandjiak de Zohab, et qu'on procédera ainsi à commettre des hostilités et d'infliger des châtiments sur le territoire ottoman, il y a là, à la vérité, aux yeux de la Sublime Porte, une forte preuve que le Gouvernement persan n'a aucun égard pour l'arrangement en vigueur; c'est tout uniment un acte équivalent à une violation des traités. On ne saurait, d'après la manière de voir du Gouvernement ottoman, concilier cet acte avec de bonnes et de loyales intentions. Il le regarde comme injuste et déraisonnable; et il serait tout naturel, ainsi que le cas l'exige, que les autorités ottomanes fussent autorisées à entreprendre des représailles.

Voulant, toutefois, manifester et prouver son respect pour l'arrangement en question et les sentiments qui l'animent par rapport au maintien de la paix et de la tranquillité, la Sublime Porte met de côté l'idée de commettre des hostilités qui, pour ainsi dire, lui répugnent, et elle croit essentiel et conforme à ses principes équitables de mettre, avant tout, votre Excellence ainsi que son Excellence M. de Titow, au fait de l'état des choses.

Nous vous prions donc d'apprécier l'importance de l'affaire en contestation, et d'écrire au Ministre de votre illustre Gouvernement à Téhéran en conséquence, en employant votre zèle amical à persuader le Gouvernement persan par un langage énergique et par de pressants conseils de renoncer désormais à des actes d'hostilité, et à des entreprises inconvenantes, et de suivre constamment le principe établi. Mais si dorénavant encore le Gouvernement persan se met en mesure de commettre quelque acte d'agression, et ne se tient pas fermement dans les bornes du principe établi, dans ce cas, étant tout naturel que les autorités de la Sublime Porte, de leur côté, se défendent et usent de représailles, la Sublime Porte sera obligée pour protéger le pays et ses sujets de les y autoriser, car en différant plus longtemps ses intérêts en souffrirait.

Et c'est pour faire savoir tout ce que ci-dessus à votre Excellence que le présent mémorandum a été rédigé exprès et qu'il vous a été remis.

Le 21 *Djemazi-ul-evvel*, 1260.

Enclosure 2 in No. 16.

Sir Stratford Canning to Colonel Sheil.

Buyukdery, December 9, 1844.

Sir,

The memorandum, of which a translation is herewith enclosed, was received by me on the 5th instant from his Excellency the Ottoman Minister for Foreign Affairs. It relates, in the first place, to the late incursion of Nourallah Bey upon the Persian territory near Urmia, and in the second to Mohib Ali Khan's expedition from Kermanshah into the province of Zohab. It appears that a similar paper has been addressed by Shekib Effendi to his Excellency the Russian envoy. A copy of the instruction to our respective interpreters, which is referred to in the accompanying paper, was annexed to my despatch No. 42 to Lieutenant-Colonel Williams, and, if my directions have been followed, sent on to you by that officer.

Nothing can be more satisfactory than the Porte's disclaimer of any participation in the outrage committed by Nourallah Bey, and I doubt not that instructions

corresponding with its tenor have been addressed to the Pasha of Erzeroum and Enveri Effendi. But it is unfortunately more easy to condemn the proceedings of Nourallah Bey than to remedy their consequences or to chastise, or even control, the chief himself. I confess that my expectations with regard to the probability of redress are not high, and I should very much question the prudence under present circumstances of urging the Porte to call him to account by the employment of an armed force.

With respect to the expedition from Kermanshah, you will observe that, although the Porte expresses the most pacific and moderate sentiments, she nevertheless considers the late incursion of the Persian troops on Zohab and their active operations against the tribes of that province as inconsistent with the present arrangements on the frontier. With Major Rawlinson's explanations before me I am so far from partaking the uneasiness manifested by the Porte, that I look upon the expedition as productive of benefit, not only to the settled inhabitants of Zohab, but to the interests of the Turkish Government. It is at the same time most desirable that every military movement tending to excite jealousy and mistrust on either side should, if possible, be postponed during the negotiations; and in the present instance I venture to hope that the early retirement of the Persian troops within their own unquestioned frontier, and a friendly communication upon the subject through you and Count Medem from the Persian Government, will serve to disperse any remains of those feelings which the explanations that have satisfied my own mind may not have entirely removed elsewhere.

Whatever may ultimately turn out to be the merit of the Porte's claim to Zohab, it is evident that her pretension to have that province considered as her own already could not be sustained. It is nevertheless but fair that she should protest against any marked increase of the Persian forces there, especially with artillery, and you will probably agree with me that there would be just grounds of complaint if Mohib Ali Khan's expedition were not to be withdrawn at once. His position indeed would seem to be one which of itself might easily reconcile him to the necessity of a retreat.

I have, &c.

STRATFORD CANNING.

P.S.—I enclose herewith for your more complete information the extracts* of Major Rawlinson's correspondence with me, which I have communicated to Shekib Effendi.

S. C.

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* Not printed, as copies of the extracts were not furnished to the Foreign Office.

No. 17.

Count Nesselrode to Baron Brunnów, Russian Ambassador in England.—(Communicated to the Foreign Office by Baron Brunnow, January 10, 1845.)

M. le Baron, *Saint-Pétersbourg, le 12 (24) décembre*, 1844.

AVANT la réception des communications que votre Excellence a bien voulu nous adresser en date du 21 novembre (3 décembre), au sujet de l'affaire turco-persane, nous nous trouvions déjà en possession des rapports adressés par Sir Stratford Canning à son Gouvernement. M. Titow nous avait même transmis la copie de la dépêche de l'Ambassadeur britannique du 22 novembre, No. 261,* qui ne pouvait encore se trouver entre les mains de Lord Aberdeen à la date de votre expédition.

Le jugement que nous avons porté sur le fond de la question, se trouve exposé avec une entière franchise dans ma dépêche du 1er décembre, dont j'ai retardé l'expédition pour la confier au courrier anglais.

La persistance que Sir Stratford Canning met à vouloir scinder la province de Zohab s'explique d'abord par une certaine partialité pour la Turquie, qui n'a point échappé au coup d'œil si juste de Lord Aberdeen; ensuite par une prédilection assez naturelle pour le plan primitif que l'Ambassadeur britannique avait soumis à son Gouvernement. Vu les dispositions dans lesquelles il se trouve aujourd'hui, nous ne saurions nous attendre à aucun résultat satisfaisant d'une controverse ultérieure à Constantinople sur la question de Zohab. Ce point doit être résolu en principe par une entente directe entre les Cabinets de Saint-Pétersbourg et de Londres, et ne saurait être déféré aux délibérations de leurs représentants en Turquie ou en Perse. Après la polémique qui a déjà eu lieu, le terrain de Constantinople ne se prête guère à une *discussion de principes*: dans une œuvre de médiation, on ne peut apporter assez de soin à éviter tout ce qui pourrait donner lieu à des froissements personnels.

Votre Excellence nous a rendu compte de la première impression qu'une lecture rapide des volumineux rapports de Constantinople et de Téhéran avait produite sur l'esprit du Principal Secrétaire d'État; il paraissait pencher pour l'adoption d'un moyen terme, propre à concilier les opinions divergentes. Dans l'impartialité qui nous guide, nous n'hésiterions pas un seul instant à souscrire à tout terme d'accommodement qui présenterait la chance d'obtenir l'accession des deux Puissances musulmanes. Toutefois, nous devons avouer que nos prévisions ne nous indiquent aucune possibilité d'y arriver en dehors des bases arrêtées d'un commun accord à Londres. Selon nous, avant de se prononcer pour le partage de Zohab, il faudrait trouver un moyen pratique de faire évacuer le territoire que les Persans occupent depuis vingt-deux ans, et qui serait aujourd'hui adjugé à la Porte. C'est là le point capital; et rien dans la volumineuse polémique que nous avons sous les yeux ne nous laisse entrevoir l'expédient propre à tourner cette difficulté qui domine la question. Sir Stratford Canning ne pouvait y attacher la même valeur, par la raison que dans son plan, ainsi que votre Excellence s'en souviendra, il voulait que les Puissances médiatrices *imposassent d'autorité* leurs décisions aux parties litigantes. Un mode d'agir aussi péremptoire que peu conforme aux maximes du droit public ne pouvait être adopté, ni par le Cabinet Impérial, ni par celui de Londres. Il a été convenu en conséquence que les termes d'accommodement seraient proposés à la libre acceptation des Puissances musulmanes; il a fallu dès lors modifier le plan primitif de manière à le *rendre acceptable* à l'une comme à l'autre; et cette considération essentielle a dû faire prévaloir le principe de l'*uti possidetis*. Quant à Sir Stratford Canning, il ne se dissimule point que la Perse ne consentira pas au partage de Zohab, mais cet incident ne l'arrête point; car il persiste toujours à envisager la question sous son point de vue exclusif, ainsi qu'il résulte de sa dépêche du 1er novembre.† Il y dit formellement que la marche que les deux Cabinets se proposent de suivre dans leurs communications subséquentes avec la Turquie et la Perse ne présente pas un *caractère suffisant d'autorité* pour la mise à exécution du projet d'arrangement. Ainsi donc l'opinion de Sir Stratford Canning présente une divergence non seulement dans les *conditions* de l'arrangement, mais encore dans le *caractère de la médiation* elle-même qu'il veut convertir en un *arbitrage*, dont la décision serait *obligatoire*. Il est tout naturel

* No. 15, p. 138.

† No. 11, p. 115.

dès lors, que les propositions de l'Ambassadeur britannique, conçues dans cet ordre d'idées, ne puissent se prêter à des vues diamétralement opposées au système d'arbitrage qu'il cherche à faire prévaloir. Entre des idées tellement divergentes, nous n'entrevoyons pas de compromis possible.

Supposons que, sans s'écarter de la marche convenue à Londres pour ce qui concerne la nature de notre médiation purement officieuse et amicale, on admette le partage de Zohab; il est hors de doute que le Schah se refuserait à y adhérer, et qu'il préférerait rester dans la position bien plus avantageuse qu'il occupe actuellement. Rien ne l'engagerait d'ailleurs à prendre un autre parti. Encore si on lui accordait les indemnités qu'il réclame, sa cupidité pourrait influencer ses déterminations. Mais on commencerait par dire aux persans: vous réclamez des millions pour les dommages occasionnés par les Turcs; or, la Porte n'a ni l'argent nécessaire pour vous payer, ni la volonté de se prêter à un sacrifice pécuniaire; donc vous renoncerez à vos demandes d'indemnité. On leur dirait en outre: comme il existe certaines présomptions légales en faveur de la Porte pour ce qui concerne Zohab, vous ferez aussi évacuer la majeure partie de cette province que vous occupez depuis vingt-deux ans, et vous la céderez à la Turquie. En retour de ces concessions matérielles qu'est-ce qu'on offrirait aux Persans? On leur laisserait entrevoir la perspective d'obtenir la reconnaissance de leurs titres de possession sur un tiers d'une province dont la totalité est, depuis nombre d'années, soumise à leur domination. Cette proposition ne paraîtrait-elle pas en quelque sorte dérisoire aux yeux du Schah?

Puisque les Persans se sont passés pendant vingt-deux ans de la *reconnaissance* de leurs droits par la Porte, ils ne verront pas un grand inconvénient à s'en passer plus longtemps encore; en tout cas, ils devront naturellement préférer cet inconvénient, assez problématique d'ailleurs, à la cession matérielle d'un vaste territoire dont ils jouissent aujourd'hui. L'opinion de Lord Aberdeen à cet égard ne saurait différer de la nôtre. A quoi servirait donc de proposer à la Perse un arrangement qu'on aurait d'avance la certitude de voir repoussé par le Schah?

Passons maintenant à l'examen de l'attitude des Puissances médiatrices envers la Turquie et la Perse après l'invitation fait à l'une comme à l'autre d'adhérer au projet d'arrangement soumis à leur acceptation.

Si la transaction est basée sur l'*uti possidetis*, l'alternative la plus défavorable, celle du rejet, ne pourrait donner lieu à aucune nouvelle complication, car les choses resteraient, après tout, dans le *statu quo* actuel; les Puissances médiatrices auraient un moyen de prévenir la reprise des hostilités en promettant leur appui à celle des parties qui s'abstiendrait d'une agression à main armée.

Mais cette position se compliquerait infiniment du moment qu'on adjugerait à la Perse une partie de la province de Zohab. Pour vaincre l'obstination des Persans et les expulser d'un territoire que la Porte *serait autorisée* à considérer désormais comme sa propriété légitime, elle voudrait recourir à l'emploi des armes. Après voir formellement reconnu les droits de la possession de la Porte, comment les Puissances médiatrices s'opposeraient-elles à l'emploi des moyens coercitifs à moins de se charger elles-mêmes de contraindre la Perse à satisfaire aux réclamations de la Turquie! De simples représentations n'auraient aucun effet à Téhéran, et il faudrait en dernière analyse reconnaître à la Porte le droit de recourir à la force des armes pour se faire rendre justice. Les chances de la guerre seraient problématiques; mais nous ne nous arrêterons pas à discuter des éventualités dont les efforts combinés de la Russie et de l'Angleterre doivent avant tout chercher à prévenir la réalisation.

Telle est, M. le Baron, notre manière d'envisager la médiation turco-persane. Veuillez donner lecture de la présente dépêche à Lord Aberdeen; vous êtes même autorisé à lui en laisser copie. Les considérations qui y sont exposées et qui attesteront aux yeux du Principal Secrétaire d'État cet esprit d'impartialité qui a présidé à nos entretiens avec lui sur l'affaire dont il s'agit, l'engageront, nous l'espérons, à faire envisager à Sir Stratford Canning la question de Zohab comme définitivement jugée par les deux Cabinets lors de mon séjour à Londres, et à l'inviter à poursuivre dans ses délibérations avec M. Titow, l'examen des questions de détail qu'il s'agit de régler, pour mettre la dernière main à l'œuvre de conciliation placée sous les auspices de la Russie et de l'Angleterre.

Recevez, &c.
NESSELRODE.

No. 18.

Sir Stratford Canning to Lord Aberdeen.—(Received January 25, 1845.)

(No. 301.) *Buyukdery, December 30, 1844.*

My Lord,

I HAVE lately received from Major Rawlinson some valuable observations concerning the proposed restoration of Zohab to the Sultan, and as they are the result of a personal visit to the country, and, I believe, of careful enquiry into particulars, I cannot do better than submit them to your Lordship's consideration. They are important in two points of view—first, as expressing a decided opinion in favour of the Porte's right to Zohab; and secondly, as showing the charges, risks, and inconveniences which would devolve upon the Porte in the event of that province actually passing into her possession.

I avail myself of this opportunity to express the satisfaction with which I have received your Lordship's obliging assurance, that instructions for my guidance in the affairs so long pending under the joint mediation of England and Russia will be transmitted to me by the overland messenger now on his way from London.

I have, &c.
STRATFORD CANNING.

Enclosure in No. 18.

*Observations by Major Rawlinson on the proposed transfer of Zohab.**

The right of Turkey to demand the restoration of Zohab, as an integral part of her dominions being thus, as I think, demonstratively established, I propose to examine the advantage or disadvantage of bringing that right into operation.

The principal difficulties with which Turkey would have to contend in resuming her government of Zohab would be firstly the winter immigration of the Persian tribes, and secondly the want of a permanent population in the district. Both of these evils are of magnitude, but at the same time a relief from one would tend to remedy the other: for if, on the one hand, the tide of immigration could be arrested, an agricultural peasantry might be induced to settle on the lands; or if, on the other hand, the lands could be generally colonised, the wandering tribes would be forced to seek other pastures. I proceed, then, to consider these two questions separately and in detail.

It is the custom at present on the approach of winter (and the custom by long indulgence has come to be regarded as a right) for a body of some six or seven thousand families to descend from the Persian mountains and scatter themselves over the district of Zohab; their object is to obtain pasturage for their flocks and herds, and they pursue this object in the full confidence of strength and with the least possible regard for the rights or interests of other parties. They establish their camps wherever they find grass and water; they are emancipated from all control except such as the tribe usages impose on them; and they are to all intents and purposes during the period of their annual visit the *de facto* masters of the province.

Under a Persian administration the evils of this system have been felt, but not nearly to their full extent. Blood has been spilt; the authority of the Government has been set at nought; yet the gardens, the granaries, the cultivation of the district have been generally respected; for the property has belonged to the immigrant tribes, or to their friends and immediate connections. It is not likely, however, that any such deference would be shown to the rights of Turkish proprietors. Promiscuous spoliation would I conceive inevitably follow in the wake of immigration, retaliation would lead to further violence, national antipathies would be brought into full activity, and a crisis of disorder would soon ensue which would necessarily call for the

* In his No. 53, November 27, 1841, Major Rawlinson forwarded to Sir S. Canning papers drawn up by him on the political history of Zohab, together with the observations, here printed, on the proposed transfer of the dependency of the district, and also a map of Zohab on the topographical correctness of which Sir S. Canning was assured that he might rely. Apparently the historical papers and map were not sent to the Foreign Office by Sir S. Canning, and, although search for them has been made at the Public Record Office, they cannot be found among the Constantinople and Baghdad archives.

interference of the respective Governments. The remedy, or rather the preventive of these evils, which will naturally strike anyone considering the subject, will be as follows: Simultaneously with the surrender of Zohab, let the right of pasturage (if it can be called right) which the Persian tribes enjoy be summarily abrogated, let an integrity of frontier be proclaimed as a fundamental basis of the pacification, and let an efficient Turkish force be maintained in the district to repel unlawful aggression.

But these conditions, which are perfectly sound in theory, involve two important considerations—practicability and expediency. It is true that under the former rule in Zohab of the Princes of Bajilan the immigration of the Persian tribes was unknown, or it took place, at any rate, in very limited numbers, and under such conditions of restriction and dependency as precluded the possibility of violence; and it may be inferred that the same order of things may be restored if the Persian Government so wills it, but this point requires examination.

The tribes of Kermanshah are, then, generally settled in villages above the mountains; the villages are now deserted, and they reside almost entirely in tents; they have lapsed, in fact, from a fixed to a nomadic state, and whoever is acquainted with the constitution of the tribe-nations of Asia will understand that the lapse is far easier than the reclamation. It is notorious that the neglect of agriculture and the adoption of pastoral habits are the rapid and invariable consequences of a weak or an oppressive government, while the contrary transition is the slow result of a careful and liberal, but at the same time a strong and healthy, exercise of authority; and when I reflect, therefore, on the disorganised state of the Kermanshah administration, or, indeed, when I regard the whole machine of Persian government, I am inclined to question its ability to reclaim to an agricultural life the population of the frontier; an authoritative edict to the effect would certainly meet with contemptuous disregard, and the encouragement which should induce a voluntary change would be altogether a new feature in Persian policy.

But if Persia be thus unable or indisposed to realise the conditions of the treaty, Turkey may perhaps have it in her power to vindicate her rights alone and unassisted; she may employ force to repel the unauthorised invasion of her territory, and may protect the integrity of Zohab as she would that of any other dependency of the Empire. On this footing the practicability of the measure may be fairly conceded. Bloodshed and disorder would, of course, ensue on the first adoption of measures to repel immigration, but I imagine that if these measures were sustained for a certain period with firmness and vigour, the tide must eventually flow in some other direction.* At the same time, the question of expediency remains unanswered, for it must be remembered that the expense of maintaining an efficient body of troops in Zohab for the purpose of preserving the integrity of the frontier and of protecting Turkish rights would far exceed the possible revenues of the district, that the collisions, moreover, which would ensue between these troops and the Persian tribes would be a perpetual source of irritation and recrimination to the respective Governments, and that the hostility which would be thus generated along the frontier might lead to conflicts of a more serious character.

These are important considerations, to which I shall again recur, after examining the other difficulty which Turkey would encounter from the want of a fixed population in the district. I have already observed that the Plain of Zohab is almost destitute of permanent inhabitants. The villages adjoining and within the mountains are peopled adequately to their wants, but not in excess; while the cultivation of the plains beyond is exclusively in the hands of the Guran peasantry, who are Persian subjects, and who reside far within the Persian frontier. I conceive, then, that this supply of labour on the surrender of the district to Turkey, would be wholly and summarily suspended, and that the first care, therefore, of a Turkish governor must be to recolonise the lands; but from whence colonists are to be brought, I confess I am at a loss to conjecture.

A limited number of Bajilans, under the leading of one of their native princes, might perhaps return to their ancestral seats, but the number would be certainly inadequate to supply the place of the Gurans. The districts along the frontier are all rather under than over populated; and even if there were a redundant peasantry, a district, of which the practical dependency is in a state of transition, offers the least

* [Marginal note.] The great majority of the tribes would probably descend to the plains of Shahan in search of winter pasturage, a few would remain on the Zamalan, and a few (the Gurans in particular) would be reclaimed to agricultural pursuits.

possible inducement to immigration. It may be enquired where are the ancient villages, the 12,000 families, who were numbered as the subjects of the Prince of Bajilan? The greater part of these were Persian Kurds, attracted to Zohab under the flourishing rule of Abdullah Pasha; they emigrated in the subsequent troubles, and are now dispersed in a thousand different quarters, from whence it would be impossibe to recall them.

The real difficulty of the case may be expressed in a few words. The Pashalic of Bagdad is notoriously under populated; it has not colonists to spare, and the Persian Government, I imagine, irritated at the loss of Zohab, would protest against her subjects being seduced from the mountains and admitted to a Turkish naturalisation. In the place of the 12,000 families from whom Abdullah Pasha realised an annual revenue of 30,000 tomans, a Turkish governor, on taking possession of the district, bounded as I have suggested in the geographical section by a line drawn from Baun Khilan to the Gates of Zagros, would find a scattered peasantry, amounting at the utmost to 800 families: if he attempted to exact from them a disproportionate revenue they would instantly emigrate; if he confirmed them in their present liabilities they would yield a paltry return of some 3,000 or 4,000 tomans,* the expense, at the same time, of maintaining his position exceeding probably treble or quadruple the amount.

I exhibit the picture in its true nakedness, for the proverbial fertility of Zohab appears to have given rise to the most exaggerated notions among the Turkish authorities as to the value of the acquisition. It is my firm conviction that, if Turkey resumed the government of the district on a footing of complete control and in immediate subordination to Bagdad, its maintenance would for several years prove a heavy drain on her exchequer. She might, it is true, adopt a middle course: she might reintegrate the government of the Bajilans, or she might unite the district with that of Suleimanieh; and, under either of these conditions, the substitution of a Kurdish for a Turkish rule would obviate many of the difficulties that attach to a transfer of dependency. But under such circumstances she must be content with a mere nominal sovereignty; she must be prepared for the renewed interference of Persia, and for an obligatory connection between the Kurdish ruler and the Persian tribes in his neighbourhood.† She must allow, in fact, the old system of intrigue, duplicity, and fraud to resume its full activity, and she must maintain a semblance of authority by promoting family dissensions and by helping to disorganise the country.

It only remains to consider the true object of Turkey in seeking the recovery of Zohab. Is it for aggression? Is it for defence? Is it with a view to immediate pecuniary benefit? Or is it in vindication of national rights, irrespective of any present sacrifice such vindication may entail on her, for the good of the Empire, the happiness of the people, and the prospective consolidation of the frontier? If Turkey prosecute her claim in the generous spirit which I have in the last place suggested, she will not be deterred by the difficulties and loss which she will meet with at the outset; she will prefer the encounter of such difficulties, which are but temporary, and will pass away to the lasting and irremediable injury she would sustain in the formal abandonment of the rights which she acquired by Sultan Murad's treaty. She will preserve Zohab at any cost; she will, during the first years of her occupation, adopt an ultra-liberal administration. (I would recommend her, indeed, to take no revenue for a fixed period of two or three years, in order to encourage colonisation.) In her intercourse with the tribes she will be firm and unyielding, but not unnecessarily harsh; she will, in fact, give that security to the district which can only be shaken by a national war, and after a certain period of probation she will be amply repaid by the flourishing condition of the Pashalic.

Let the Turkish Government resume the occupation of Zohab with a full foreknowledge of its difficulties; let her be pledged to their patient encounter. Let Persia be strictly withheld from interfering in support of the immigration of her tribes;‡ in protecting refugees, in distributing the newly established relations, and an acquiescence in the claim of Turkey will, I think, be attended with political advantage, in the same degree that it is consonant with justice; but unless these

* [Marginal note.] Zohab, inclusive of Bishiweh, is farmed at present for 7,000 tomans (3,500*l.*) per annum, but a full moiety of the revenue is realised from the Guran cultivators of the plain.

† [Marginal note.] A Kurdish governor of Zohab, unsupported from Bagdad, would probably admit the Persian tribes to a right of pasturage. He would pursue conciliation to the verge of submission, and would consent to the virtual suspension of his authority during the period of winter immigration.

‡ [Marginal note.] It must be remembered that the abolition of a right of immigration will be to the eventual benefit of Persia instead of to her injury, inasmuch as it will supply her with an agricultural in the place of a pastoral population. False pride, therefore, or an ignorance of her interests can alone cause her to oppose the measure.

several points be definitely prendjusted, unless the two Governments be reciprocally prepared to assist and co-operate in giving effect to the provisions of the treaty, unless, in fact, Turkey will exercise her recovered rights with extreme discretion and Persia will religiously respect them, I am clearly of opinion that the tranquility of the frontier, and the mutual interests of the two parties, will be best consulted by some arrangement which shall reimburse Turkey for the abandonment of her rights upon Zohab, and shall leave undisturbed the existing territorial limitations.

H. RAWLINSON,
Consul at Baystad.

No. 19.

Colonel Williams, British Commissioner at Erzeroum, to Her Majesty's Ambassador at Constantinople.

(No. 60.) *Erzeroum, December 4, 1844.*

Sir,

I HAVE the honour to acknowledge the receipt of two packets addressed by your Excellency to Her Majesty's Minister at Tehran, one marked Confidential, and both left open for my perusal, which, after a careful reading, I this day forwarded to their destination, detaining the gholam the shortest possible time, agreeably to your Excellency's wishes.

Although I have not been invited to express my opinions on the contents of these important despatches and their enclosures, yet I trust that your Excellency will not consider me presumptuous if, as Her Majesty's Commissioner, I offer a few remarks upon the proposals made by Count Nesselrode* for the settlement of the Turco-Persian question, as well as upon the despatch of Count Medem†, on the same subject.

In the first place I trust to be pardoned for expressing my surprise that Count Nesselrode should altogether have passed over the labours of the commissioners, as well as the evidence adduced before the conferences of Erzeroum, and proceeded at once to cut instead of endeavouring to untie the knot. I do so, however, with great deference to the exalted rank and high reputation of that Minister.

Count Nesselrode at once proposes to Turkey to waive all her territorial rights and pretensions on certain conditions, alleging that such a plan would not alter the existing state of things, and would in consequence be preferable to any other.

If such a plan were forced upon Turkey I must so far agree with Count Nesselrode as to believe that no change would take place in the existing state of things, for the pride of Turkey would be so deeply wounded as to preclude the possibility of her throwing aside one particle of that animosity and acrimonious national hatred which has been fostered, if not created, by the seizure and retention of the two provinces in question by the Persian Government; thus far and no further can I subscribe to the deduction of Count Nesselrode; such a degradation would (if it were possible in these enlightened times thus to degrade so great a power) rankle in her breast, and she would take the first opportunity to enter into hostilities with her neighbour for the purpose of regaining at least one of her lost provinces.

These remarks bear reference to Mohammerah and Zohab, but when I find in Count Nesselrode's proposals a stipulation by which Turkey is to surrender the left bank of the Shatt-el-Arab from the sea to Korna on the plea that Persia is now in possession of it, I cannot but revert to the fears I have more than once expressed to your Excellency on this vital point.

Persia holds not a foot of the territory in question, and her future possession of it would render the collection of river dues by the Turkish authorities of Bagdad utterly impossible by giving the Persians free scope for smuggling as high up as Korna, and this state of things would bring in its train all those evils, and indeed crimes, which follow in the wake of illicit and nefarious trade.

In taking another view of this vital question I cannot divest myself of the belief that Russia in broaching it, and inviting England to become partner in pressing it, has sinister motives; for the natural reflection is this—how can Russia insist on such a concession in favour of her client, Persia, when, by doing so, it would render the Imperial Government odious in the eyes of the Porte, where it hopes to retain its influence? Is it to be supposed that such a line of policy would be dictated by disinterested friendship for Persia? In my humble opinion this question must be answered in the negative. I therefore trust that when Her Majesty's Government is made acquainted with the incorrect data on which Count Nesselrode formed his proposition to cede this territory, the matter will be set at rest.

Your Excellency will pardon me if I here endeavour to analyse the justice of the proposition whereby Turkey is called upon to abandon all her territorial claims, as an offset against the pecuniary demands of Persia, and, in doing so, I will consume as little of your Excellency's valuable time as possible.

* No. 9, p. 103.

† Enclosure in No. 12, p. 119.

The provinces in question are substantial objects of dispute between the two negotiating Powers; and, without doubt, Turkey has produced more evidence in support of her claims to them than her rival, who contented herself with pleading her present possession of them.

The documents brought forward by Turkey were so ancient as to defy any question as to their authenticity, they were not taken from the public archives, but were found in the hands of individuals in the form of title-deeds and transfer of property, and not subject to destruction from political mutations and violent revolutions, by which national calamities Count Medem infers that Persia might have been deprived of similar documents, and which otherwise she could have adduced in support of her claim.

Those ancient records must assurredly were of such a nature as to induce any Government holding them to believe that the cession in perpetuity of one of the provinces therein alluded to was an ample indemnification to its rival for damage caused by any attack which the ceding power might have made to regain by force one or both of those provinces, which had in former times been wrested from her by similar violent means, and the perusal of Major Rawlinson's memoir,* and Colonel Farrant's despatch relative to Mohammerah† will, I think, convince the most sceptical of the exaggerated claims set up by Persia for property destroyed during the attack.

This reflection was my warrant, as British commissioner, to hear the evidence, to place—not an exaggerated value on those ancient records; and in keeping in view the probable adjudication of a disputed province to each of the litigating Powers, I felt assured that such an arrangement would in reality balance any valid pecuniary claim set up by Persia; but as your Excellency has further extended to that Power nearly half of the remaining province in dispute, I think the most zealous friend of His Majesty the Shah must acknowledge that his claims have been entertained to the fullest extent.

I therefore trust that when Her Majesty's Government shall have received your Excellency's reply to Count Nesselrode's and Count Medem's memoranda, your Excellency's plan for the settlement of this question will be adopted.

Upon the other points in Count Nesselrode's project, I do not feel called upon to trouble your Excellency, excepting only that one which fixes a time for the abandonment of the mediation of England and Russia, in the event of the non-conformance of the negotiating Powers.

Your Excellency is fully aware of the great and constant difficulty experienced by the commissioners in preventing these two exasperated nations from making even ordinary acts of Kurdish violence a pretext for marching troops to the frontier, which step would have inevitably led to war, and I feel it my duty to record my opinion against the adoption of such a step as the one proposed by Count Nesselrode, because I believe it would produce that sad result in two months after the commissioners' departure from Erzeroum, where their presence was not, on some occasions, sufficient to restrain the authorities without the assistance of personal altercations and even protests against the execution of projected movements of troops.

I have, &c.

W. J. WILLIAMS.

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* Enclosure in No. 1, p. 3.

† Not printed.

No. 20.

Colonel Sheil to Lord Aberdeen.—(Received March 7, 1845.)

(No. 135.) *Tehran, December 20, 1844.*

My Lord,

I HAVE received from Sir Stratford Canning a copy of your Lordship's despatch No. 148* of the 13th September to Her Majesty's Ambassador at the Porte, enclosing a memorandum written by Count Nesselrode† on the affairs of Persia and Turkey, and in conformity with your Lordship's orders I have the honour to submit the reflections which have been suggested to me by the perusal of that document after an examination with Count Medem of the compromise it advocates for deciding the differences between the two Governments.

There is no very essential difference between the opinions of Count Messelrode and the basis of the *status quo* which I ventured to offer to your Lordship's consideration in the memorandum which accompanied my despatch No. 80‡ of the 12th July, and consequently the present despatch will on several points be a repetition of the sentiments I expressed on that occasion.

The annexation of Mohammerah and the Delta to Persia being apparently yielded on all sides, that portion of the question seems to require no farther investigation, unless with a view to a claim for indemnity to Persia which will be hereafter considered. Such is not the case with regard to the appropriation of the left bank of the Shatt-el-Arab. Count Nesselrode declares it to be in the possession of this Government, and on the principle of the *uti possidetis* desires to assign it permanently to Persia. On the other hand Sir Stratford Canning declares distinctly that it is in possession of Turkey, and all the information I can gather here, where however, intelligence relative to remote positions is to be received with great distrust, leads me to the conviction that his Excellency's statement is the correct one. Moreover, Major Rawlinson, whose knowledge is derived from investigation on the spot, in some observations on what he calls a "memorandum on Mohammerah by Count Medem"§ makes the following remark which sets at rest all doubt: "at present she (Persia) does not possess any territory on the river above Mohammerah."

I may here remark that Count Medem never wrote any memorandum on Mohammerah. What Major Rawlinson alludes to is the same document which I transmitted to your Lordship in my despatch No. 41‖ of the 16th April, and which being compiled by a Persian merchant I considered valueless and not entitled to any comment.

The cession then to Persia of the left bank of the Shatt-el-Arab falls to the ground on the principle established by Count Nesselrode.

And even if Persia were in actual possession of that portion of territory, which however from all I can gather, unlike Mohammerah, could only be from very recent occupation, I would hesitate before transferring to this Government a tract which in all probability has been long an integral part of the Turkish dominions, and whose permanent dismemberment the Porte would not fail to view with a degree of displeasure, sufficient to deter it from acceding to a definite arrangement of the differences between the two countries.

The only ground I can discern for this cession is an indemnity for the destruction of Mohammerah and other acts of aggression added to the very desirable attainment of forming a well-defined frontier between the two nations. But indemnity in territory would, in my opinion, be more conveniently sought in Zohab, and in an acknowledged territorial right of Persia to the contested claim of Mohammerah. A well-marked frontier contributing to diminish the likelihood of future collision between the two nations would be no doubt a most desirable acquisition, still it seems an insufficient reason for dispossessing Turkey of so important a tract as the bank of a river like the Shatt-el-Arab.

Neither does its alienation from Turkey appear to be indispensable even for the purpose of defining the frontier by a marked boundary. It is understood that between the inhabitable tract on the bank of the Shatt-el-Arab and the Persian

* No. 10, p. 119.

† No. 9, p. 105.

‡ No. 6, p. 79.

§ Enclosure 3 in No. 7, p. 97.

‖ Not printed.

territory in Khuzistan, there exists a desert of considerable extent, sufficient at all events to deter marauding incursions among the tribes, and in fact I have no recollection of plundering expeditions in that part of Persia.

Major Rawlinson in his memorandum on Mohammerah* states that twelve places north of the Haffar, which possibly means on the banks of the Shatt-el-Arab above that town, are occupied by the tribe of Chaab. To terminate the divided allegiance of these occupants their removal to the proper Chaab districts, should they really dwell on the Shatt would seem to be desirable.

The result of my opinions regarding Mohammerah is that Persia should possess the Delta, Shatt, Mohammerah, and Karun to the western extremity of the Haffar.

Count Nesselrode proposes that Suleimanieh should be recognised as being attached to the Ottoman dominions, and that Persia should formally renounce all claim to that principality, not on the ground of the abstract right of Turkey to its possession, but as compensation to the Porte for a similar renouncement of all claim to Zohab. I am unable to enter into this view of the subject, and other arguments, apart from the consideration of Suleimanieh, can possibly be found for the annexation to Persia of Zohab. Persia is not in possession of Suleimanieh, nor has she brought any evidence to prove her title to it, which is destitute of all support, as far as I know, beyond mere assertion. This being the case, the announcement of the Persian claim, however expedient it may be to place it in that view to the Porte, would be no compensation to Turkey for the renouncement of Zohab—if she has a right to Zohab; and it may be assumed as certain that Persia would not have relinquished her claim to Suleimanieh so easily if she had any plausible arguments to sustain it.

To the permanent cession of Zohab to Persia I cannot disagree from the opinion of Count Nesselrode, both because it preserves the principle of the *status quo* and from other reasons which appear to render it expedient. However feeble and inefficient have been the arguments and proofs of Turkey at the conferences at Erzeroum in authentication of her right to this district, I have never been able to resist the belief—I might almost add the conviction—of her former possession of it, and of the occupation of Persia being either the result of an act of invasion or the non-observance of the last treaty. Whatever doubt may have existed on the subject has been dissipated by the recent historical disquisition† of Major Rawlinson on that district.

But, on the other hand, Persia has to plead in support of her right the perhaps more forcible argument of long possession. Sir Stratford Canning states that this district has been held by Persia about twenty-two years; but, long as this period is, Major Rawlinson, in an essay in the ninth volume of the Proceedings of the Geographical Society, written six years ago, declares that it was annexed to Persia thirty years before that time; and in his recent memorandum on Zohab† he mentions that the control of the Prince of Kermanshah began to be exercised in 1809. My own enquiries here, however little reliance (as before remarked to your Lordship) can be placed in the declarations of Persians relating to events remote in distance or time, confirm Major Rawlinson's statements. This officer further observes that the last attempt of Turkey to interfere in the affairs of the district was in 1818.

He also mentions, in the same volume of the Geographical Society, that the district is farmed and cultivated, and is therefore occupied by the Persian tribe of Guran, the chief of which has bought as his private property that portion of Zohab which is situated near Rijab.

If, for the sake of preserving the left bank of the Shatt-el-Arab above Mohammerah to Turkey, it be necessary to disturb any portion of the tribe of Chaab and deport them from their occupancy on that river, an additional motive is created for compensating Persia in Zohab. All these reasons combined—expediency, long possession by Persia, occupation by a Persian tribe, and the real necessity for Persia to retain the plain of Zohab as winter pasture ground for her tribes, and, lastly, her right to indemnity, whether more or less—impel me to the opinion that the district of Zohab should be suffered to continue under the authority of this country.

To dissever it now from Persia would require a larger exertion of the authority of the two mediating Powers than to invite the Porte to abstain from urging pretensions which, from the lapse of time, have lost that weight they might otherwise be entitled to receive.

If Persia is to be deprived of the plain of Zohab the mountains would naturally be assumed as the demarcation of the frontier. Major Rawlinson says that the important pass of Kerrind is valueless to Persia in an aggressive view, because she has

* Enclosure in No. 1, p. 3.

† See foot-note on p. 143.

other and better passes at her disposal, but that giving this defile to Turkey would be giving the key of Persia to the enemy.

My own maps of Persia being utterly defective, and Major Rawlinson not having accompanied his memoir with a map, I am unable to form a distinct conception of what range of mountains would be assumed as the line of frontier.

In aid of my opinion for maintaining Persia in possession of the district of Zohab, it appears necessary that I should enter into some examination of the title of Persia to indemnity.

If the full and entire right of Persia to Mohammerah be not indubitably established, the claims of Turkey appear to be at least as obscure and ill-authenticated. In my estimation the balance is in favour of Persia, because, there being no treaty to prove rights, possession confers a right. One thing is at all events certain—that the town was built and occupied by a tribe which for a long succession of years had been independent of Turkey, and which for an equal length of time had been subjects of Persia, admits of no dispute—or, in the words of Sir Stratford Canning, there has been a "continued occupation of eighty years either by Persia itself or by a tribe whose head-quarters have been situated within the Persian territory twice the length of that period." Such being the condition of Mohammerah, it is difficult to deny that no claim to compensation exists when it has been attacked, taken by assault with the usual bloodshed and ravage, sacked and utterly destroyed by Turkey.

What the amount of destruction may have been I have no means of calculating; but, judging from inference, it could not have been inconsiderable. Sir Stratford Canning, on the authority of Major Rawlinson, says that more than 10,000*l.* could never be collected there; that the town was formed of 400 or 500 reed huts with few exceptions, and that the staple merchandise consisted of rice and dates. But Major Rawlinson, in his memorandum on Mohammerah,* makes the following observations calculated to lead to a different estimation: "Mohammerah, however, swelling from a petty fort into a considerable town, had between the years 1830 and 1837 risen into so much consequence as an emporium of trade that it attracted general attention."

It is well known that the cause of the attack of the Pasha of Bagdad on this town was the injury it inflicted on the commercial prosperity of Bussorah by attracting to itself the trade of the latter city, in consequence of the freedom from all duties which prevailed at Mohammerah—Bushire, too, felt similar effects from the same cause.

If rice and dates alone were the chief products, all this could have scarcely happened. It is a reasonable inference that the absence of duties drew a large share of the import and export trade of the South of Persia and of that part of Turkey by smuggling to this port. My information corroborates this conjecture, and, being derived in part from an Indian British subject, I am in some hope of its being correct. It would appear that the commodities of India and China consumed in Persia found an entrance to this country through this mart to a large extent.

I will not trouble your Lordship with a repetition of former arguments regarding the pillage of the vali's camp further than to remark that if the plunder of Suleimanieh is to be counted on one side, nothing will convince the Persian Government of the justice of rejecting the consideration of the other, where the attack was made by the troops of Suleimanieh, and the action was fought in the Persian territory after the vali had retired some miles from the Turkish frontier.

If the Turkish Government had claims for indemnity at all equivalent to those put forward by Persia, it is not to be presumed that it would shrink from their investigation as it has hitherto done.

The aim of the observations I have offered to your Lordship's consideration regarding indemnity is for the purpose of drawing a conclusion that the entire district of Zohab should be annexed to Persia as a substitute for all her claims to pecuniary remuneration.

Questions so distinct as commercial intercourse and religious concession may either be balanced against each other according to the proposition of Count Nesselrode, or they may be considered on their separate merits.

It appears to me that Turkey has a right to demand that the tariff should be raised to the present value of merchandise, there being no stipulation, as far as I can perceive, to exempt Persia from a revision of the value of the commodities subjected to duty. But it seems to be equally clear that the pretension to renew the system of monopolies with reference to Persia, if she should not think fit to accede to the

* Enclosure in No. 1, p. 3.

terms of the treaty of commerce between England and Turkey, has no foundation in justice. During the existence of monopolies European nations paid, as I understand, 3 per cent. on imports and exports, and it is contended that the obligation of Persia to pay 4 per cent. did not exempt her from the other portions of the commercial system of Turkey applicable to Europeans. But this is contrary to all probability; for how can it be conceived that a Mussulman nation should have been called on to submit, or would submit after a successful contest, to a higher exaction than was levied from infidels.

In a country like Turkey, where Jews and Christians of all sects are freely tolerated and enjoy liberty of worship as well as the right to construct religious edifices, some concessions to Mahommedans of the Shiah faith can scarcely be justly withheld. When Mahomed Ali Pasha ruled in Arabia, Persians performed the pilgrimage to Mecca with his encouragement and in entire security, and until the late capture of Kerbela the adherents of the Persian form of religion were received with favour at those shrines.

Persia has a just claim to the removal of the refugee Princes from a city so contiguous to the frontier as Bagdad, but whether to Adrianople, Aleppo, or Damascus would, I consider, be indifferent to the Persian Government.

The course proposed by Count Nesselrode to be adopted by the two mediating Powers in the event of their counsel not being accepted by Persia and Turkey seems to me scarcely adequate. It appears to be deficient in an expression of the opinions of the mediating Powers sufficiently positive to obtain the concurrence of Persia and Turkey to a mode of accommodation likely to be unpalatable to both Governments.

It is, in fact, the *status quo* without the advantages of a treaty. In my opinion, the withdrawal of the commissioners and of the mediation of England and Russia would be followed by aggressions which would probably lead to formal hostilities, which would only be terminated by a fresh mediation and new conferences. I would venture to suggest that, as far as Persia is concerned, a very clear expression of the intention of the two Great Powers should, if necessary, be signified. It is probable that Persia would not refuse to yield to such an intimation; but in such an event, rather than let a question which might have serious results remain undecided, I would offer to your Lordship's consideration that the English and Russian Ministers at this Court should in a joint note warn the Persian Government that it was responsible for the consequences, and formally announce to it that England and Russia would feel themselves under the obligation of fulfilling the duties of their mediative character by adopting such a course as might appear to them necessary for the preservation of peace in the East. It is highly unlikely that Persia would refuse to yield to a remonstrance of this description.

Her Majesty's Ambassador at the Porte is too competent a judge of the course which ought to be pursued towards Turkey in the same circumstances to render it necessary for me to offer my suggestion.

Count Nesselrode's memorandum contains no observations relative to Kerbela.

I have, &c.

JUSTIN SHEIL.

No. 21.

Colonel Sheil to Lord Aberdeen.—(Received March 7.)

(No. 2. Confidential.) *Tehran, January 4, 1845.*

My Lord,

COUNT MEDEM has made me acquainted with the nature of the despatch he has addressed to Count Nesselrode, containing his reflections on the memorandum written by the Russian Minister for Foreign Affairs, relative to the adjustment of the differences between Persia and Turkey.

There is now no very prominent divergence in results, though there is some in principle, between Count Medem's observations and those I had the honour to address to your Lordship in my despatch No. 135 of the 29th December, 1844.*

The annexation to Persia of the left bank of the Shatt-el-Arab, whether in the possession at this moment of this Government or of Turkey, was one of the points strongly insisted on by Count Medem, and in this sense his despatch to his Court was first written. His proposal was to compensate Turkey with the plain of Zohab for the loss of the left bank of that stream should it be now in the possession of the Porte. I have, however, succeeded in inducing the Russian Minister to alter his view of this question and to adopt an opinion which does not vary essentially from the suggestion I had the honour to offer to your Lordship in the above despatch. The assigned reason of Count Medem for the course he first proposed regarding that river was the importance of a clear well-defined boundary, but the more powerful argument of the complications which the resistance of Turkey might cause has produced a modification in his views.

Count Medem has suggested, I understand, that if the left bank of the Shatt-el-Arab should be actually in possession of Persia, which is contrary to all likelihood, that tract should be transferred to Turkey, and compensation should be given to Persia by the recognition of her right to the entire of Zohab.

But if, on the other hand, Turkey should be in possession of the left bank of the Shatt-el-Arab, which may be presumed to be certain, the *uti possidetis* is to be adopted, Persia being indemnified for all her pecuniary claims by the permanent annexation of the whole district of Zohab to this country.

There is one point connected with the Shatt-el-Arab which the Russian Minister urges with singular tenacity. He contends that in the event of Persia being obliged to renounce or exchange her supposed present possession of the left bank, the free navigation of the entire stream so designated up to Korna should be yielded to this country. Whatever advantages this country can acquire by this cession must be remote, and the urgency of Count Medem raises an impression of his having some lurking reason unconnected with the interests of this country. Persia having possession of the delta of the Shatt-el-Arab, she will, I conceive, be entitled to the free navigation of that stream as far as Mohammerah.

In the event of the plain of Zohab being allotted to Turkey, Count Medem recommends that the Governments of Persia and Turkey should mutually have the right of pasturage for their tribes in the mountains and plains of Zohab according to the season. To me this arrangement, unless positively unavoidable, seems full of inconvenience, for it presents the prospect of the unceasing recurrence of violence and dissension. At all events, the fees of pasturage should be regulated and paid by the two Governments instead of by the tribes or their chiefs.

To verify or approximate the amount of indemnity to which Persia is entitled for the destruction of Mohammerah, Count Medem states that he proposes to have recourse to the testimony of the Governor of Ispahan, who has been at the former town, and whom he affects to consider a person of impartiality and integrity. Though, in my opinion, the amount of loss was considerable, still the evidence of this governor ought to be received with all the caution which the testimony of every Persian requires. He is a Georgian by birth, and probably a Russian subject, though long in the service of this country.

The Russian Minister considers the course recommended by Count Nesselrode in the event of either of the two Mussulman Governments dissenting from the decision

* No. 20, p. 149.

of the mediating Powers not sufficiently peremptory. The adoption of such steps as will prevent the hostilities which would inevitably ensue, as well as the intervention of a third Power, always seeking to interfere in the affairs of the East, by which he means France, is warmly advocated by the Russian Minister.

I have, &c.
JUSTIN SHEIL.

No. 22.

Lord Aberdeen to Sir Stratford Canning.

(No. 5.) *Foreign Office, January 7, 1845.*

Sir,

HER Majesty's Government have given their best attention to your Excellency's recent despatches, terminating with No. 278* of the 17th December last, in which you lay before them your views and opinions on the points in dispute between Turkey and Persia which have long occupied the attention of the negotiators at Erzeroum, as well as of the diplomatic agents of Great Britain and Russia at Constantinople and Tehran.

Your Excellency's opinions and suggestions have appeared on the whole to Her Majesty's Government clear, judicious, and impartial, and they have had little hesitation in taking them as their guide in forming the decision to which they have come on the important subjects on which those suggestions have been offered.

It is highly desirable that every effort should be made on the part of Great Britain and Russia to bring the hitherto fruitless discussions between Turkey and Persia to a close, and thereby to relieve ourselves from the trouble and expense which have so long attended the presence of a British commissioner at Erzeroum.

Great Britain originally undertook that mediation in concert with Russia, solely with a view to preserve the peace of the East, for the benefit of Turkey and Persia, by inducing those two Powers to waive extreme claims, and to come to a fair and amicable compromise on such equal terms that neither Power should triumph at the expense of the other, and that every sacrifice made by the one should, so far as possible, be balanced by an equal concession on the part of the other. On this principle alone we have constantly acted, and shall continue to act.

Our efforts have unfortunately been hitherto not only without effect, but without due appreciation by either party, although the smallest reflection ought surely to have demonstrated to both that we had, and could have, no interested view of our own in thus engaging in a troublesome and expensive task. But this state of things must not be suffered to continue much longer, and the time is at hand when, if the parties cannot be persuaded to agree upon mutual conditions of adjustment, we must withdraw from the scene and leave them to settle the matter for themselves.

I now proceed to explain to your Excellency our views upon the matters in question, and to give such instructions as may, I trust, prove sufficient to enable you, in concert with your Russian colleague, to shape your future course with decision.

Her Majesty's Government have weighed with great care and the most scrupulous impartiality the various claims which have been put forward by both the litigant parties. They have also thoroughly examined the arguments by which those claims have been supported as well by the parties themselves as by the diplomatic agents of Great Britain and Russia both at Constantinople and Tehran; and after the most deliberate consideration given to the whole subject, they have come to the conclusion that the *uti p ssidetis* is the only safe and practicable principle to adopt as a general rule for settling the differences at issue. It appears to them, however, that that principle cannot, with any fair chance of success, nor indeed with strict equity, be rigorously adhered to with respect to all the points in dispute.

In adopting the general principle of the *uti possidetis*, Her Majesty's Government do not mean to assert that in each claim taken separately the application of that principle is demonstrably correct; but where claims are founded on grounds either so vague, or so obscure, or so nicely balanced, as those on which many of the claims of Turkey and Persia are based, the only fair and rational mode of striking a correct balance between the parties appears to be by considering undisturbed possession of long standing as the only rule by which the right of continued possession can be equitably determined.

Mohammerah, Suleimanieh, and Frontier on the Euphrates (Shatt-el-Arab).

The claims to Mohammerah on the side of Persia, and to Suleimanieh on the side of Turkey, are both of this description. Her Majesty's Government are therefore clearly of opinion that those claims ought to be respectively decided on the principle above

* No. 16, p. 137.

described. Mohammerah, which has for eighty years past been virtually possessed, directly or indirectly, by Persia, should still remain with Persia, together with the possession of the left bank and free navigation of the Shatt-el-Arab from Mohammerah to the mouth of that river; while Suleimanieh, to which Persia has manifestly no valid claim whatever, should continue annexed to Turkey.

Zohab.

With respect to the Zohab the case is different, for although Persia is certainly in present occupation of that country, that occupation has been held for twenty years only, and the right to it has never been acknowledged, but, on the contrary, has been always contested by Turkey. The original seizure of that country by Persia was an act of aggression. Turkey, although, in consequence of her internal embarrassments, occasioned by the revolt of her Greek provinces, she was unable at the time to prevent that seizure, has never acquiesced in the occupation, nor ceded by treaty the territory so occupied.

Here, then, is a case of actual possession of short duration, the result of violent seizure on one side, and denial of the right of possession on the other.

This appears, therefore, to be a matter especially marked out for equitable compromise by a division of the territory in question, and the mode of division suggested by your Excellency appears to Her Majesty's Government the most eligible, because it is the most just as regards the respective interests and advantages of the two parties.

Your Excellency will, therefore, consider yourself authorised to propose that a compromise should be agreed to between the parties, by the restoration of the western portion of the Zohab to Turkey, while the eastern portion, or district of Darna, should still be retained by Persia. The pass of Kerrind would still remain in the possession of Persia, while the line of boundary would be drawn from that pass northward along the summit of the hills to the vicinity of Hershel, where it would again join the existing boundary by occupation between the Turkish and Persian dominions.

This arrangement would effect an equitable partition of territory, and of territorial and frontier advantages between the two Powers; and upon the expediency of this scheme of demarcation your Excellency will accordingly insist.

General Frontier.

In treating the preceding matters, I have purposely abstained from entering into any details respecting the precise line of frontier which it might be advisable to draw between the dominions of the two Powers from Mohammerah to the northern point near Hershel just described. The line laid down in one of the maps annexed to the memorandum enclosed in your Excellency's despatch No. 70* of the 27th April last, appears to Her Majesty's Government to be a generally suitably line to recommend to both parties. But any line of frontier must necessarily be liable to modificaton, and I have therefore deemed it more prudent to abstain from the recommendation of any fixed mode of delimitation.

Indemnities.

With respect to the pecuniary indemnities demanded by Persia, it appears to Her Majesty's Government in the first place that the amount of those indemnities is extravagantly over-estimated by Persia. This opinion both the English and Russian plenipotentiaries have already intimated to the Persian Government, and have urged that Government not only to reduce those claims very considerably, but even to forego them altogether.

Her Majesty's Government are of opinion that these claims, and all claims to pecuniary indemnity, should be entirely abandoned on both sides, since there is clearly no prospect of coming to anything approaching to a fair or amicable settlement on that doubtful and hazardous point of contention.

Persia may consider herself well compensated for any pecuniary claim which she may have on Turkey by the continued possession of Mohammerah and a part of the Zohab, to which latter territory her title is but doubtful, while Turkey may equally consider the restoration to her of the remaining portion of the Zohab as a fair equivalent for any pecuniary claims which she may have on Persia.

* No. 2, p. 25.

Your Excellency is therefore authorised to propose a mutual abandonment of all pretension to pecuniary compensation, and you will recommend that if any doubt should still remain in the mind of either party on any specific point of minor importance, on which compensation to a small amount is claimed, it would be better to refer such matter for decision to a commission which may be appointed to sit after the conclusion of the treaty for the settlement of any subordinate matters of detail which could not conveniently be brought into the compass of a treaty.

Religious, Consular, and Commercial Immunities.

Her Majesty's Government are also of opinion that, considering that by the proceedings at Kerbela the religious feelings of the Persians were much wounded, and that Persia forbears to press her claim to compensation for the injuries done to her subjects on that occasion, the Porte should be urged, and, if necessary, required, to concede special privileges to Persian pilgrims visiting the holy shrines of their own worship in Turkey. Persia might, on the other hand, as a compensation for that concession, and also for immunities and advantages which Turkey would concede in accordance with the wish of the Persian Government, conclude with Turkey a new tariff by which the price of goods should be estimated according to their real value.

Frontier Aggressions.

The question of the mode of henceforward mutually repressing frontier aggressions by the wild nomad tribes dependent on both Powers must be left in the hands of the parties themselves, aided by the two mediating plenipotentiaries.

Your Excellency's suggestions that military stations should be established along the frontiers; that each Power should acknowledge its responsibility for the acts committed by its own dependents respectively; that a mutual engagement should be entered into for the punishment of the offenders and making compensation for the offence; and that the two parties should also agree to a mutual surrender of fugitives, appear to Her Majesty's Government to be measures well calculated in the abstract to attain the desired object. Whether they are practicable or not Her Majesty's Government cannot take upon themselves to judge. Certain, however, it is that every effort ought to be employed on both sides to put a stop to the capital and crying evil of territorial aggressions by individual tribes on both sides, since that practice alone, if left unrepressed, can scarcely fail to lead eventually to war.

With respect to the minor points of negotiation, for instance, the arrears of dues for pasturages, and any others which may still remain to be adjusted, Her Majesty's Government consider that it will be better to leave those matters to be settled by the parties under the mediation of the plenipotentiaries.

These instructions, which, as I have already observed, are mainly based on your Excellency's suggestions, qualified in certain points by the observations of Colonel Sheil and also by the memorandum of Count Nesselrode, to whose project of agreement thereto annexed we have, with the exception of the article relative to Zohab, pretty clearly adhered, appear to Her Majesty's Government to be all that is necessary to enable you, in concert with M. Titow, to pursue a clear and decided course in the prosecution of the joint mediation of England and Russia in the negotiations at Erzeroum.

We deliver our opinion and press our mediatory recommendations upon both the litigant parties, by whose express desire we mediate, with the earnestness and energy which a sense of the entire purity and rectitude of our intentions with respect to both the parties entitles us to assume.

We trust that our recommendations will be accepted by both parties, and that they will without hesitation agree to conclude a treaty founded upon them.

Her Majesty's Government have every reason to hope and believe that the instructions thus conveyed to your Excellency will coincide in every essential point with those which will be furnished by the Russian Government to their Minister at Constantinople. Should there, however, be any discrepancy, your Excellency will consider yourself as fully empowered to take whatever measures you may think proper for bringing the two instructions into harmony with each other. You will thus be enabled, in concert with your Russian colleague, to submit the joint recommendations of the mediating Powers with great authority for the acceptance of the Courts of Turkey and Persia, represented by their commissioners at

Erzeroum; and in so submitting them it will be right to employ a tone of urgent invitation and persuasion, but not of peremptory dictation, for although we have a full right to recommend and to press, we have none to command or compel.

If, however, after having submitted, and earnestly pressed, our joint recommendations on the Courts of Turkey and Persia, represented at Erzeroum, either of those Powers should urge objections to any particular point and propose a modification of it, it will be for your Excellency, in conjunction with M. Titow, to judge whether you can properly concede anything to such objections, or whether it will be better to adhere rigidly to our original proposition. And you will always bear in mind that the less concession is made, consistently with a proper attention to claims which appear to be just, the more satisfactorily will the views and wishes of your Government be carried out. But it is obviously out of the question for us to enjoin your Excellency to refuse all concession whatever.

Should all your efforts to bring about the adjustment of differences on the basis, or nearly so, proposed by us prove, after a due exercise of patience and perseverance, abortive, and should you see no just reason to expect success from any further attempt on your part, you will in that case, acting in concert with the Russian Minister, consider yourself authorised to notify to both the recusant Courts the intention of Her Majesty's Government to withdraw their commissioner from Erzeroum. But you will not actually withdraw him until you shall have ascertained to your satisfaction that your intimation of his intended withdrawal has failed of producing any useful effect. In that case you will finally withdraw him; and in so doing your Excellency will state to the Courts of Turkey and Persia that Great Britain, having acted with the utmost fairness and forbearance towards both those Powers, and having had constantly and solely in view the interests of both, finding at length that her zealous efforts are unavailing and her liberality unappreciated, has determined to retire altogether from the scene. But in so doing she thinks it right to warn both Powers, for whose sake she has laboured at so much expense and with so much trouble, that she will consider the whole responsibility of all the evils which may arise from a rupture between them to rest on the head of that Government which first begins, or provokes, hostilities.

I am, &c.
ABERDEEN.

No. 23.

Lord Aberdeen to Sir Stratford Canning.

(No. 11.) *Foreign Office, January 20, 1845.*

Sir,

SINCE I last addressed your Excellency on the subject of the negotiations at Erzeroum, the Russian Minister at this Court has received a despatch from St. Petersburgh, directing him to communicate with me respecting the terms of the arrangement to be proposed by the two mediating Governments for the settlement of the differences between the Porte and Persia.

The only point on which the communication made to me by Baron Brunnow renders it necessary that I should add anything to my despatch No. 5* of the 7th instant is that of the proposed partition of the Zohab.

I enclose, for your Excellency's information, an extract of the despatch received by Baron Brunnow,† which treats of that part of the subject, and which states it to be the opinion of Count Nesselrode that any departure from the principle of *uti possidetis* in that case will be attended with serious difficulty and risk. Without questioning the justice of the compromise, which in my despatch of the 7th instant your Excellency is authorised to propose, and by which the western portion of the Zohab would be restored to Turkey, the Russian Minister is of opinion that such an arrangement, if not coupled with some more substantial compensation to the Shah than the acknowledgment of his title to the eastern portion of that territory, would meet with no favour from the Persian Government, and that, unless the Powers who propose the partition assume the authority of arbitrators, and compel the adoption of their proposal, that Government will infallibly reject it. It appears to Her Majesty's Government that there are considerations of much weight; and undoubtedly the result anticipated by Count Nesselrode, besides causing the general failure of the negotiation in which we have now been so long and so laboriously engaged, would have this further inconvenience, that it would leave to the Porte a reasonable ground for aggression upon Persia, and one which the Powers by whom the proposal was made could scarcely refuse to recognise as just.

With respect to the manner in which this difficulty may be avoided, your Excellency is already aware that Her Majesty's Government are not disposed to assume a tone of dictation in their mediation, or to force an acquiescence in their views against the wishes of the parties in whose behalf they have undertaken to negotiate. There is nothing which would justify them in doing so.

If, therefore, the Russian Government is correct in assuming that Persia would refuse to consent to a division of the Zohab, and to the evacuation of any portion of what she now holds without some more substantial consideration than the confirmation of her title to the remaining part, it becomes necessary that the mediating Powers, in proposing the partition, should couple it with some concession from Turkey, which may render an assent on the part of Persia less difficult, and which at all events shall take from the proposal of the mediators the appearance of sanctioning any attempt which Turkey might hereafter make to regain possession of a considerable part of that district irrespectively of all conditions.

It is difficult for me to suggest to your Excellency any particular concession on the part of the Porte which it would be possible to propose with a fair chance of its being accepted by both sides. If, indeed, your Excellency and M. Titow should find it easier to recommend an arrangement by which the Zohab should be left in the possession of its present occupants, the Porte receiving from Persia some pecuniary or other concession in return for the abandonment of the Sultan's claims in that quarter, such a settlement would have great advantages over any which would entail a sudden and complete change in the authority to which that district is subject.

The object, however, of this despatch is rather to call your Excellency's attention to a difficulty to which a proposal for the settlement of the Zohab upon the terms sanctioned by my despatch of the 7th instant may ultimately lead, and to put you in

* No. 22, p. 155

† No. 17, p. 141.

possession of the views of Her Majesty's Government upon a point which no doubt will be much dwelt upon in the instructions received by M. Titow, than to suggest any precise scheme of arrangement in a matter upon which your Excellency will have much better means of forming a judgment than Her Majesty's Government.

I am, &c.

ABERDEEN.